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# SALT II VIOLATIONS

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## HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

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## SPECIAL HEARING

Department of Defense

Nondepartmental Witnesses

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# CONTENTS

Page

Department of Defense:

Assistant Secretary of Defense (International Security Policy) ... 1
Prepared statement of Richard Perle ... 10
D'Amato, Hon. Alphonse M., U.S. Senator from New York, questions submitted by ... 27
Factsheet concerning Soviet charges of U.S. arms control noncompliance ... 36

Nondepartmental witnesses:

Former Chief of Naval Operations, USN:

Statement of Adm. Elmo Zumwalt ... 49
Prepared statement ... 58

JAYCOR:

Statement of Dr. Joseph Douglas, president ... 73
Prepared statement of Dr. William R. Van Cleave, director, Defense and Strategic Studies Program, University of Southern California ... 83

American Committee on East-West Accord Toward a General Nuclear Settlement:

Statement of Adm. Noel Gayler, USN (Ret.) ... 92
Prepared statement ... 97

Brookings Institution:

Statement of John Steinbruner, presented by Adm. Noel Gayler ... 104
Prepared statement ... 107

# SALT II VIOLATIONS

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WEDNESDAY, MARCH 28, 1984

U.S. Senate,
Subcommittee on Defense,
Committee on Appropriations,
*Washington, DC.*

The subcommittee met at 10:15 a.m., in room SD-192, Dirksen Senate Office Building, Hon. James A. McClure, presiding.

Present: Senators Stevens, McClure, and Kasten.

## DEPARTMENT OF DEFENSE

### Assistant Secretary of Defense (International Security Policy)

### STATEMENT OF HON. RICHARD N. PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

### INTRODUCTION OF WITNESSES

Senator McClure. The meeting will come to order.

This is the time scheduled to hear testimony concerning the military implications of Soviet SALT violations and noncompliance with arms control agreements.

The subcommittee chairman, Senator Stevens, had planned to open this hearing this morning, but he has been detained because of briefings on the El Salvador elections, and he asked me to begin without him. He does plan to join us later when that other matter is finished.

We are privileged to have with us today a series of distinguished defense experts to discuss the military implications of the Soviet SALT II violations. We begin this morning with the Assistant Secretary of Defense for International Security Policy, Richard N. Perle. This morning we will also hear from the former Chief of Naval Operations, retired Adm. Elmo Zumwalt.

This afternoon at 2, we will reconvene to hear the testimony of three additional witnesses, Prof. William R. Van Cleave of the University of Southern California; retired Adm. Noel Gayler, former Director of the National Security Agency; John Steinbrunner of the Brookings Institution; and Kosta Tisipis of MIT. Unfortunately, Dr. Van Cleave will not be able to appear, and his statement will be presented by Dr. Joseph Douglass, president of Jaycor.

### TREATY VIOLATIONS

I think it is important for us, as we begin these hearings today, to put them into some kind of perspective. There has been a lot of discussion about what treaties mean, whether or not there have been violations, and some of us within the Congress have been pressing for some time to have a greater public discussion, with public information, about what it is we now and can say about Soviet violations of existing treaties.

### ADMINISTRATION REPORT ON VIOLATIONS

Last September, the Senate voted to require a report from the administration with respect to that subject: What do we know? As everyone knows now, and after many months of very careful study, President Reagan finally reported to the Congress on January 23, 1984, that the Soviet Union had violated six arms control treaties in nine different cases. President Reagan stated that five of these nine Soviet arms control violations, included two related to the SALT II Treaty, were clear-cut, unqualified, and unequivocal violations.

The President's report to the Congress on Soviet noncompliance with arms control agreements stated very succinctly:

> The U.S. Government has determined that the Soviet Union is violating: (1) The Geneva Protocol on Chemical Weapons; (2) The Biological Weapons Convention; (3) The Helsinki Final Act; and two provisions of SALT II, telemetry encryption and a rule concerning ICBM modernization.
>
> In addition, we have determined that the Soviet Union has almost certainly violated the SALT I ABM Treaty, probably violated SALT II limit on new types, probably violated the SS-16 deployment prohibition of SALT II, and is likely to have violated the nuclear test yield limit of the Threshold Test Ban Treaty.

Those words were in the report, they are not my words. To repeat, there have been nine Soviet arms control violations of six treaties confirmed by the President, five of which were conclusive, and two of these conclusive violations related to SALT II. A total of four of the nine violations reported related to SALT II.

The Defense Department has recently stated authoritatively that the Soviets currently have two new types of land-based ICBM's under advanced stages of development, thereby making this another unqualified violation of SALT II, for a total of three unqualified Soviet SALT II violations.

President Reagan's report is historic and unprecedented. It is the first time in history that a U.S. President has ever accused the Soviet Union of a violation of a strategic arms limitation treaty. Unfortunately, however, there is more.

Assistant Secretary of Defense, Richard Perle testified to the Senate on March 14, 1984, that the violations in the President's report were illustrative only. He mentioned 20 to 25 additional existing violations. It should also be pointed out that on the record and for formal response to the reporting requirements of the provision enacted by the Congress and signed by the President that the report given in January was an interim partial report. It is not a full or final report of the matters covered by the congressional resolution, and there will be further compliance with that provision of law I am certain.

### ACTIONS ON SOVIET TREATY VIOLATIONS

Our hearings today are to focus on one part of the dialog that must flow from treaty negotiation, treaty signature, treaty violation, and treaty enforcement, and that is, what do you do when you find out that there is a violation?

First, we must determine what its military implications are. What does it do to the security of the United States? Finally, when you have determined that there is a violation that has implications for your security, what then, as a matter of national policy, do you do to make certain that national security is not unduly harmed by that development.

With that, we will turn to the testimony of our witnesses.

I want to welcome again Secretary Perle. You are very welcome here this morning. You may proceed with your prepared statement. We will place it in the record, and you can summarize, or you can proceed in whatever way you would like.

### VIOLATION OF ARMS CONTROL AGREEMENTS

Mr. **Perle**. Thank you very much, Mr. Chairman.

I will, if I may, read from the prepared statement, but probably not all of it.

Despite the unhappy nature of my report to you this morning, it is a pleasure to appear before the committee. I have been asked to speak about Soviet violations of the important arms control agreements. As President Reagan told the U.N. Special Session on Disarmament in June of 1982:

> Agreements genuinely reinforce peace only when they are kept. Otherwise, we are building a paper castle that will be blown away by the winds of war.

After a year-long intensive study of Soviet compliance with existing arms control agreements, President Reagan forwarded the study to which you referred on Soviet compliance on January 23, 1984. You have already indicated the summary of those findings, so I will not repeat them now.

### ISSUES ON TREATY VIOLATIONS

These are serious issues. Our concerns are deepened by the fact that Soviet violations in a number of cases involve treaties the terms of which are not very demanding—SALT II, for example. Even the strictest possible compliance with SALT II would allow an enormous increase in Soviet nuclear capability.

Indeed, there has been almost a 75-percent increase in Soviet nuclear warheads aimed at the United States since SALT II was signed in 1979. The fact that the Soviet Union has gone even beyond this and violated important treaty provisions is a cause for serious concern.

Another cause for concern is the fact, as Secretary Weinberger has observed in his recent report to the Congress, that:

> Several of these violations must have been planned by Soviet authorities many years ago, in some cases perhaps at the very time that the Soviet Union entered into the agreements.

## ABM TREATY

There are serious potential security risks from Soviet arms control violations, and this is particularly true in the ABM area. Since the ABM Treaty does not limit the production of ABM interceptor missiles, which can be deployed rather quickly, the radar limitations are its central provision because large radars do take many years to construct.

The ABM Treaty is hardly an optimum arms control agreement. Many of its provisions are permissive and thus involve calculated risk. Even in 1972 the Soviet radar base was already more extensive than that of the then proposed U.S. Safeguard ABM system.

Indeed, a unilateral statement issued by the U.S. Government during the SALT I negotiations noted that, and I would like to quote:

> Since Soviet ballistic missile early warning radars of the Hen House type can detect and track ballistic missile warheads at great distances, they have a significant ABM potential.

The new Soviet large phased-array radars, now being deployed in significant numbers, are far more capable than the Soviet Hen House radar.

## SOVIET LARGE PHASED-ARRAY RADARS

The United States has long been concerned about the ABM potential of Soviet large phased-array radars. Indeed, as early as 1970, then Secretary of Defense Melvin Laird told the Senate Foreign Relations Committee, and I quote:

> You all know that with regard to ABM defenses, long lead items are the acquisition and tracking radars.

Soon after signing the ABM Treaty, the Soviets began the construction of a new generation of large phased-array radars, far more capable than the Hen House to support a large potential ABM program. Indeed, during the Carter administration, the Joint Chiefs of Staff reported that:

> Soviet phased-array radars, which may be designed to improve impact prediction and target handling for ABM battle management, are under construction at various locations throughout the Soviet Union. These radars could perform some battle management functions as well as provide redundant ballistic missile early warning coverage.

That from the Joint Chiefs of Staff.

In mid-1983 the United States discovered the construction of one of these radars deep in the interior of the Soviet Union, near the city of Krasnoyarsk. As it happens, Krasnoyarsk is the home of Secretary General Chernenko, so he must have been aware of construction in Krasnoyarsk.

After a minute analysis of this radar, its capability, and Soviet explanations for its construction, the U.S. Government has concluded, and I quote:

> The new radar under construction at Krasnoyarsk almost certainly constitutes a violation of the legal obligation under the Anti-Ballistic Missile Treaty of 1972 in that in its associated siting, orientation, and capability, it is prohibited by the treaty.

## SOVIET SA-5 BOMBER DEFENSE MISSILES

We have other serious concerns about Soviet failure to comply with the ABM Treaty. During the negotiation of the treaty, the U.S. Government attempted to deal with the threat of the upgrade of Soviet bomber defense missiles into ABM systems. We were particularly concerned about the SA-5.

In the testimony cited earlier, Secretary Laird voiced concern about the ABM potential of the Soviet SA-5 noting that:

> We cannot rule out the possibility that the Soviets have given or will give this system, called the SA-5 or the Tallinn system, an ABM role. We believe it is technically possible for this system. This is a problem of particular concern because of the extent of the Tallinn deployment—over 1,000 interceptor missile launchers.

We have virtually none protecting the United States, I might add. The United States settled for a prohibition of testing such surface-to-air missiles in an ABM mode, but without a specific definition—without an adequately specific definition of what this meant.

Over the years, we have expressed concerns to the Soviet Union about their testing of bomber defense missiles—surface-to-air missiles—radars against strategic ballistic missiles. A 1978 report of the Carter administration stated that this activity "could have been part of an effort to upgrade the SA-5 system for an ABM role or to collect data for use in developing ABM systems or a new dual surface-to-air missile/antiballistic missile system."

## SOVIET DEPLOYABLE ABM SYSTEM

Moreover, the Soviets have developed a rapidly deployable ABM system. In addition, as the Scowcroft Commission noted in its report:

> At least one new Soviet defensive system is designed to have capability against short-range ballistic missiles; it could perhaps be upgraded for use against reentry vehicles of some submarine launched ballistic missiles and even ICBM's.

Two of the new Soviets SAM's now being deployed, the SA-10 and the SA-12, could have ABM potential if provided data from large phased-array radars.

Concerning the SALT II Treaty, we have determined that there have been a number of violations or probable violations. We believe that the Soviets have probably deployed the SS-16 ICBM in violation of the specific treaty prohibition. The Soviets have either flight tested or they have made impermissible modifications to an existing type. They have either violated one provision or the other. We believe that the Soviet SS-X-25 probably is a second new type in violation of the treaty limit which limits each side to one new type.

The limit of one new type of ICBM was described by the Carter administration as one of the principal limits of SALT II. Let me quote Secretary of State Cyrus Vance speaking in 1979:

> Based on their past practices, the Soviets could be expected to acquire several entirely new types of land-based ICBM's by 1985: the treaty limits them to one.

While the new-type limit of SALT II was hardly as restrictive as the Carter administration made it out to be, and I think that this was a matter of some controversy at the time, the one thing that the Carter administration did insist on was that the SALT II

Treaty would prohibit testing of both the new medium and a new small solid-fueled ICBM. They have now done both. They have flight-tested a new medium solid-fueled ICBM similar to our MX and the SS-X-25, a Minuteman-sized solid-fueled missile.

### SOVIET ENCRYPTION OF MISSILE TELEMETRY

The United States has determined that Soviet encryption of missile telemetry impedes our verification of SALT II in violation of the agreement. This is a serious development because it also affects our ability to negotiate a verifiable START Treaty. Indeed, President Carter told a joint session of Congress in June of 1979, and I quote:

> A violation of this part of the treaty, which we would quickly detect, would be just as serious as a violation of the limits on strategic weapons themselves.

The Senate Foreign Relations Committee was so concerned about telemetry encryption in 1979 that it adopted an understanding to the resolution of ratification, sponsored by Senator Biden and adopted by a 15 to zero vote, which provided:

> That any practice with regard to the transmission of telemetric information during the testing of strategic arms limited by the treaty, including but not limited to the failure to transmit relevant telemetric information, which results in impeding of verification by United States national technical means of any provision of the treaty, will be raised by the United States in the Standing Consultative Commission and if the issue is no resolved to the satisfaction of the United States—It has not been—the United States reserves the right to exercise all other available remedies, including, but not limited to, the right to withdraw from the treaty.

I would hope that that resolution of the Foreign Relations Committee would be borne in mind as that committee, too, considers the current situation and how we ought to respond to it.

### SOVIET VIOLATIONS OF CHEMICAL BIOLOGICAL TREATIES

Soviet violations of the chemical and biological treaties are more than simple arms control violations. They are atrocities. These weapons have been used against defenseless human beings in an organized effort to drive them from their homes by killing thousands of them. The decline in the use of these weapons reported in recent newspaper stories does little for the thousands who have died and nothing to absolve the Soviet from 8 years of cruel and inhumane attacks with lethal mycotoxins.

The Soviet violation of the Helsinki Final Act involved an action contrary to the confidence-building measures included in that agreement.

Soviet testing of nuclear weapons, which we believe is likely to have exceeded the 150-kiloton limit of the Threshold Test Ban Treaty, could result in the development of improved warheads for their strategic weapons systems.

Violations, however, are often more significant than the immediate military consequences of the acts themselves. They raise questions about the integrity of the arms control process that may be far more significant than the short term or immediate military impact.

## DIFFICULTY OF ENFORCING TREATIES

Despite much rhetoric in the 1970's about the terrible consequences to the Soviet Union of arms control treaty violations, it is clear that these treaties are exceedingly difficult to enforce. There are those who even now demand standards of proof that simply cannot be met by national technical means of verification—standards of proof appropriate to judicial systems such as our own in which witnesses can be interrogated and in which evidence can be gathered. But this standard of evidence is wholly inappropriate for the enforcement of arms control agreements in which none of those provisions for investigation, interrogation, and cross-examination are available to use.

Others suggest that we should ignore violations because they are not militarily significant, because they would not in and of themselves fundamentally alter the military balance. There are those who suggest that the violations are somehow our fault, that we have not been tough enough with the Soviets in the Standing Consultative Commission. Some even suggest that we should sweep these issues under the rug because they might spoil the climate for future arms control.

There has been some criticism of our decision to make public these Soviet violations. We have done that, as you very well know, Senator, in response to your legislation requiring that we report and report publicly, and welcomed the opportunity to comply with that request.

## ARMS CONTROL ASSOCIATION

Some of this criticism echoes the criticism of the Arms Control Association, without repeating its most fundamental injunction, and if I may quote the Arms Control Association, they said: "Violations of arms control agreements cannot be overlooked or excused."

Perhaps the tone of the Arms Control Association press conference would have been different if those who conducted it had accepted the administration's offer of a classified briefing on the report before it held its press conference. It chose to hold its press conference before such a briefing could be arranged, and even before the final report was finished and sent to the Congress.

I have commented on this in previous testimony, Mr. Chairman, and the Arms Control Association has responded by saying that they were awaiting the briefing, which they had consented to accept at the point at which the press conference was held.

I want the record to be clear. My complaint is that before they were able to receive that briefing, they commented on the violations in some considerable detail, and the general tone of that comment was both to accuse the administration of overstating the case, and having failed adequately to pursue remedies with the Soviets directly and to dismiss the military significance of the violations that had taken place.

The most fundamental misconception of the Arms Control Association is that somehow Soviet arms control violations are our fault because until recently we hadn't raised the SALT II issues in the Standing Consulting Commission. This is simply not true, and I am glad to have this opportunity to set the record straight.

We began to raise SALT II issues in the spring 1981 session of the Standing Consultative Commission, the first session managed by this administration. We have also raised them through senior diplomatic channels. We called for a special session of the Standing Consultative Commission in 1983 which the Soviets refused to attend.

The fact of the matter is that the SCC has been largely unsuccessful over the years in resolving our compliance concerns. Unfortunately, previous administrations had exaggerated its effectiveness, I believe, in order to persuade the Congress to accept unverifiable agreements.

Ambassador Paul Nitze was correct in 1979 when, during the SALT II hearings, he testified that compliance concerns were resolved by accepting what has been done in violation. One can debate whether the issues of the 1970's were violations or circumventions, or a mixture. I think that they were a mixture. But there is no doubt that the Soviets have proven remarkably adroit at exploiting ambiguities in arms control agreements in order to proceed with activities that we intended to preclude by treaty. In doing this, they have not hesitated to mislead us, deliberately and all too successfully, in order to achieve their purpose.

### TREATY VIOLATION CHARGES AGAINST SOVIET UNION

While we regard the spirit of agreements as a guide to their implementation, the Soviets do not. They care nothing for the spirit of the agreement and, while it suits their purpose, little more for the letter. This is a sad commentary, but the truth is not always happy.

The charges we have made against the Soviet Union are the result of an extremely intensive study of Soviet compliance that lasted over a year. We carefully reviewed the evidence and the negotiating record. These charges must not be confused with Soviet propaganda contained in an aide memoire released by the Soviet Government. The Soviets know full well that we are in full compliance with our arms control obligations.

### TREATY OF VERSAILLES VIOLATIONS BY GERMANY

There is nothing new about arms control treaty violations or attempts to deny the existence of those violations or their significance. Sir Winston Churchill waged a lonely campaign against these tendencies throughout the 1930's.

In 1933, he first warned of Hitler's violations of the arms control provisions of the Treaty of Versailles. His revelations were treated with disbelief. The labor party had just won an important by-election on an overtly pacifist platform.

In 1933, Sir Winston noted that these pacifist leaders, "represented that Germany might have a few more rifles than was allowed under the treaty, a few more Boy Scouts," he said, but then, "pictured the enormous armies of Czechoslovakia and Poland and France with their thousands of cannons, and so forth. If I could believe that picture," Sir Winston said, "I should feel much more comforted, but I cannot. The great, dominant fact is that Germany has already begun to rearm." Churchill's warnings were ignored.

In 1934, he challenged the British agreement concerning German compliance with arms control provisions of the Treaty of Versailles. In the House of Commons he said, "The worst crime is not to tell the truth to the public, and I think we must ask the Government to assure us that Germany has observed and is observing her treaty obligations in respect to military aviation." Unfortunately, the British Government did assure the British people, contrary to the facts, that Hitler was not violating the Treaty of Versailles.

Even as late as 1935, the British Government was ignoring Hitler's arms control violations, even refusing to admit that the Germans were violating the limits on warship construction. Sir Winston said in the House of Commons:

> Even the battleships are laid down. I do not know how the Admiralty came to be without information that even battleships, contrary to the treaty, were being laid down. I am astounded at such a thing. We always believed before the [First World] War that battleships could never be laid down without our knowledge. The Germans were entitled to build 10,000-ton ships according to the treaty, but they, by a concealment which the Admiralty were utterly unable to penetrate, converted these into 26,000-ton ships. Let us be careful when we see all these extremely awkward incidents occurring.

This is Winston Churchill in 1935.

The British Government, history records, was not careful. It continued to deny Hitler's arms control violations. Thus, England slept until it was too late to avoid the Second World War.

## COMPLIANCE WITH ARMS CONTROL AGREEMENTS

This administration is dedicated to the negotiation of effective, meaningful and verifiable agreements for arms reduction. This cannot be accomplished by ignoring Soviet arms control violations and pretending that they do not exist. Arms control without Soviet compliance amounts to an exercise in unilateral disarmament. Arms control agreements must be complied with if there is any hope that they will increase our security.

When we negotiate future arms control agreements, the Soviet compliance record must be taken fully into account. The fact that the Soviets have cheated in the past does not rule out the possibility of mutually beneficial agreements in the future, but it does rule out the type of ineffective agreements based upon wishful thinking that we have negotiated in the past, and that some propose we negotiate today.

We will continue to press the Soviets for corrective action. We must recognize that the problem is far from solved. We must, if we are not to face an expanding pattern of Soviet violations, see that such violations carry a cost at least equal to the gains they derive from them. The full funding of the President's strategic weapons program is essential in view of these violations.

We are now in the process of assessing the implications of these violations for our mid- and long-term programs. It is clear, however, that the enormous momentum of the Soviet strategic weapons program continues largely unconstrained by existing treaties. That is the reality that we must face, and it is in light of that reality that we must fashion a response.

I thank you, and I apologize for the digression into the history of the 1930's, but it is a haunting specter of what is going on today.

[The prepared statement of Mr. Perle follows:]

# PREPARED STATEMENT OF HON. RICHARD PERLE

## ASSISTANT SECRETARY OF DEFENSE

## (INTERNATIONAL SECURITY POLICY)

Despite the unhappy nature of my report to you this morning, it is a pleasure to appear before the Senate Subcommittee on Defense Appropriations. I have been asked to speak today about Soviet violations of important arms control agreements. As President Reagan told the United Nations Special Session on Disarmament in June 1982, "Agreements genuinely reinforce peace only when they are kept. Otherwise we are building a paper castle that will be blown away by the winds of war."

After a year-long intensive study of Soviet compliance with existing arms control agreements, President Reagan forwarded a report on Soviet compliance to the Congress on 23 January 1984. He summarized the findings of the report as follows:

> The United States Government has determined that the Soviet Union is violating the Geneva Protocol on Chemical Weapons, the Biological Weapons Convention, the Helsinki Final Act, and two provisions of SALT II: telemetry encryption and a rule concerning ICBM modernization. In addition, we have determined that the Soviet Union has almost certainly violated the ABM Treaty, probably violated the SALT II limit on new types, probably violated the SS-16 deployment prohibition of SALT II, and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty.

These are serious issues. Our concerns are deepened by the fact that Soviet violations in a number of cases involved treaties the terms of which are not very demanding -- SALT II, for example. Even the strictest possible compliance with SALT II would allow an enormous increase in Soviet nuclear capability. Indeed, there has been almost a 75 percent increase in Soviet nuclear warheads aimed at the United States since SALT II was signed in 1979. The fact that the Soviet Union has gone even beyond this and violated important treaty provisions is a cause for serious concern.

Another cause for concern is the fact, as Secretary Weinberger has observed in his recent report to the Congress, that: "Several of these violations must have been planned by Soviet authorities many years ago, in some cases perhaps at the very time the Soviet Union entered into the agreements."

There are serious potential security risks from Soviet arms control violations. This is particularly true in the ABM area. Since the ABM treaty does not limit the production of ABM intercepter missiles, which can be deployed rather quickly, the radar limitations are its core provision because large radars take years to construct. The ABM Treaty is hardly an optimum arms control agreement. Many of its provisions are permissive and thus involve a calculated risk. Even in 1972 the Soviet radar base was already more extensive than that of the then proposed U.S. Safeguard ABM. Indeed, a unilateral statement the U.S. government issued during the SALT I negotiations noted that, "Since Hen House [Soviet ballistic missile early warning radars] can detect and track ballistic missile warheads at great distances, they have a significant ABM potential." The new Soviet large phased-array radars (LPARs), now being deployed in significant numbers, are far more capable than the Hen House.

The United States has long been concerned about the ABM potential of Soviet large phased-array radars. Indeed as early as 1970, then Secretary of Defense Melvin R. Laird told the Senate Foreign Relations Committee, "You all know that with regard to ABM defenses, long-lead items are the acquisition and tracking radars." Soon after signing the ABM treaty the Soviets began the construction of a new generation of large phased-array radars far more capable than the Hen House to support a large ABM program. Indeed, during the Carter Administration, the JCS reported that: "Soviet phased-array radars, which may be designed to improve impact prediction and target handling for ABM battle management, are under construction at various locations throughout the USSR. These radars could perform some battle management functions as well as provide redundant ballistic missile early warning coverage."

In mid-1983 the United States discovered the construction of one of these radars deep in the interior of the USSR near the city of Krasnoyarsk. After a minute analysis study of this radar, its capabilities and Soviet explanations for its construction, the United States Government has concluded that: "The new radar under construction at Krasnoyarsk almost certainly constitutes a violation of the legal obligation under the Anti-Ballistic Missile Treaty of 1972, in that in its associated siting, orientation, and capability, it is prohibited by the Treaty."

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Over the years we have expressed concerns to the Soviet Union about Soviet testing of bomber defense missile (Surface-to-Air Missiles or SAMs) radars against strategic ballistic missiles. A 1978 report of the Carter Administration stated that this activity "...could have been part of an effort to upgrade the SA-5 system for an ABM role or to collect data for use in developing ABM systems or a new dual SAM/ABM system." Moreover, the Soviets have developed a rapidly deployable ABM system. In addition, as the Scowcroft Commission noted in its report, "At least one new Soviet defensive system is designed to have capability against short-range ballistic missiles; it could perhaps be upgraded for use against re-entry vehicles of some submarine-launched ballistic missiles and even ICBMs." Two of the new Soviet SAMs now being deployed, the SA-10 and the SA-12, could have ABM potential if provided data from large phased-array radars.

Concerning the SALT II Treaty we have determined that there have been a number of violations or probable violations. We believe that the Soviets have probably deployed the SS-16 ICBM in violation of a specific treaty prohibition. The Soviets have either flight-tested a second new type of ICBM in violation of a treaty provision or they have made impermissible modifications to an existing type. We believe that the Soviet SS-X-25 probably is a second new type in violation of the Treaty limit of one new type.

The limit of one new type of ICBM was described by the Carter Administration as one of the principal limits of SALT II. To quote Secretary of State Cyrus Vance in 1979, "Based on their past practices they could be expected to acquire several entirely new types of land-based missiles by 1985; the treaty limits them to one." While the "new" type limit of SALT II was hardly as restrictive as the Carter Administration made it out to be, the one thing the Carter Administration did insist on was that the

SALT II Treaty would prohibit their testing of both a new medium and a new small solid fuel ICBM. They have now done both. They have flight-tested a new medium solid fueled ICBM similar to our MX and the SS-X-25, a Minuteman sized solid fuel missile.

The United States has determined that Soviet encryption of missile telemetry impedes our verification of SALT II in violation of the agreement. This is a serious development because it also affects our ability to negotiate a verifiable START Treaty. Indeed, President Carter told a Joint Session of the Congress in June 1979 that: "A violation of this part of the treaty - which we would quickly detect - would be just as serious as a violation of the limits on strategic weapons themselves." The Senate Foreign Relations Committee was so concerned about telemetry encryption in 1979 that it adopted an understanding to the resolution of ratification, sponsored by Senator Biden and adopted by a 15 to 0 vote, which provided:

> That any practice with regard to the transmission of telemetric information during the testing of strategic arms limited by the Treaty, including but not limited to the failure to transmit relevant telemetric information, which results in impeding of verification by United States national technical means of any provision of the treaty, will be raised by the United States in the Standing Consultative Commission and if the issue is not resolved to the satisfaction of the United States, the United States reserves the right to exercise all other available remedies, including, but not limited to, the right to withdraw from the treaty.

Soviet violations of the chemical and biological treaties are more than simple arms control violations. They are atrocities. These weapons have been used against defenseless human beings in an organized effort to drive them from their homes by killing thousands of them. The decline in the use of these weapons reported in today's newspapers does little for the thousands who have died and nothing to absolve the Soviets from eight years of cruel and inhumane attacks with lethal mycotoxins.

The Soviet violation of the Hensinki Final Act involved an action contrary to the confidence-building measures included in that agreement.

Soviet testing of nuclear weapons, which we believe is likely to have exceeded the 150 kiloton limit of the Threshold Test Ban Treaty, could result in the development of improved warheads for their strategic weapons systems.

Violations, however, are more significant than the immediate military consequences of the acts themselves. They raise questions about the integrity of the arms control process that may be far more significant than the short-term military impact. Despite much rhetoric in the 1970s about the terrible consequences to the Soviet Union of arms control treaty violations, it is clear that these treaties are extremely difficult to enforce. There are those who even now demand standards of proof that simply cannot be met by national technical means of verification. There are those who argue we should ignore violations because they are not militarily significant. Others suggest that these Soviet violations are somehow our fault -- we have not been tough enough with them in the SCC. Some even suggest we should sweep these issues under the rug because they spoil the climate for future arms control.

There has been some criticism of our decision to make public these Soviet violations. Some of this echoes the criticism of the Arms Control Association without repeating its most fundamental injunction: "Violations of arms control agreements cannot be overlooked or excused." Perhaps the tone of the Arms Control Association press conference would have been different if it had accepted the Administration's offer of a classified briefing on the report before it held its press conference. It chose to hold its press conference before such a briefing could be arranged and even before the final report was finished and presented to the Congress.

The most fundamental misconception fostered by the Arm Control Association is that somehow Soviet arms control violations are our fault because until recently we have not raised SALT II issues in the Standing Consultative Commission (SCC). This is simply not true. We began raising SALT II issues in the Spring 1981 session of the SCC. We have also raised them through senior diplomatic channels. We called for a Special Session of the SCC in 1983 which the Soviets refused to attend.

The fact of the matter is that the SCC has been largely unsuccessful over the years in resolving compliance concerns. Unfortunately, previous administrations have exaggerated its effectiveness in order to sell unverifiable arms control agreements to the U.S. Congress. Ambassador Paul Nitze was correct in 1979 when, during the SALT II hearings, he testified that: "They [compliance concerns] were resolved by accepting what has been done in violation." One can debate whether the issues of the 1970s were violations or circumventions or a mix of both. There is no doubt that the Soviets have proven remarkably adroit at exploiting ambiguities in arms control agreements to proceed with activities that it was the intent of one of the parties -- us -- to preclude by treaty. In doing this, the Soviets have not hesitated to mislead us, deliberately and all too successfully. in order to achieve their purpose. While we regard the spirit of agreements as a guide to their implementation, the Soviets do not. They care nothing for the spirit of agreement and, while it suits their purpose, little more for their letter. This is a sad commentary; the truth is not always happy.

The charges we have made against the Soviet Union are the result of an extremely intensive study of Soviet compliance that lasted over one year. We carefully reviewed the evidence and the negotiating record. These charges should not be confused with the Soviet propaganda contained in the Aide Memoire released by the Soviet Government. The Soviets know full well that we are in full compliance with our arms control obligations.

There is nothing new about arms control treaty violations or attempts to deny the existence of these violations or their significance. Sir Winston Churchill waged a very lonely campaign against these tendencies in the 1930s. In 1933 he first warned of Hitler's violations of the arms control provisions of the Treaty of Versailles. His revelations were treated with disbelief. The Labour party had just won an important by-election on an overtly pacifist platform. In 1933 Sir Winston noted that these pacifist leaders "...represented that Germany might have a few thousand more rifles than was allowed under the Treaty, a few more Boy Scouts" but then "pictured the enormous armies of Czechoslovakia and Poland and France with their thousands of cannons, and so forth. If I could believe that picture I should feel much more comforted, but I cannot. The great, dominant fact is that Germany has already begun to rearm." Mr. Churchill's warnings were ignored.

In 1934 Sir Winston Churchill challenged the British Government concerning German compliance with arms control provisions of the Treaty of Versailles. In the House of Commons he stated that, "...the worst crime is not to tell the truth to the public, and I think we must ask the Government to assure us that Germany has observed and is observing her treaty obligations in respect to military aviation." Unfortunately, the British Government did assure the British people, contrary to the facts, that Hilter was not violating the Treaty of Versailles.

Even as late as 1935 the British Government was ignoring Hitler's arms control violations, even refusing to admit that the

Germans were violating the limits on warship construction. Sir Winston railed in the House of Commons, "...even the battleships are laid down. I do not know how the Admiralty came to be without information that even battleships, contrary to the Treaty, were being laid down. I am astounded at such a thing. We always believed before the [First World] War that battleships could never be laid down without our knowledge. The Germans were entitled to build 10,000-ton ships according to the Treaty, but they, by a concealment which the Admiralty were utterly unable to penetrate, converted these into 26,000-ton ships. Let us be careful when we see all these extremely awkward incidents occurring."

The British Government was not careful. It continued to deny Hitler's arms control violations. Thus, England slept until it was too late to avoid the Second World War.

This Administration is dedicated to the negotiation of effective, meaningful and verifiable agreements for arms reduction. This cannot be accomplished by ignoring Soviet arms control violations and pretending that they do not exist. Arms control without Soviet compliance ~~is~~ [illegible] nothing more than an exercise in unilateral disarmament. Arms control agreements must be complied with if there is any hope that they will increase our security.

The Soviet arms control compliance record must be taken fully into account. when we formulate future arms control proposals. The fact that the Soviets have cheated in the past does not rule out the possibility of mutually beneficial agreements in the future, but it does rule out the type of ineffective agreements based upon wishful thinking that we have negotiated in the past--and which some propose today.

We will continue to press the Soviets for corrective action. However, we must recognize that the problem of Soviet arms control violations has not yet been solved. We must, if we are not to face an expanding pattern of Soviet violations, see that such violations carry costs at least equal to the gains they derive from them. The full funding of the President's strategic weapons program is essential in view of these violations. We are now in the process of assessing the implicatons of these violations for our mid- and long-term programs. It is clear, however, that the enormous momentum of the Soviet strategic weapons program continues largely unconstrained by existing treaties.

### VALUE OF HISTORICAL REFERENCE

Senator **McClure**. Mr. Secretary, thank very much for your statement. I don't think that an apology is necessary at all for reviewing a little history. It has come to my attention very recently that the passage of time may well have changed public perceptions of historical fact, and maybe a little recitation of fact now becomes necessary.

In another subcommittee of the Appropriations Committee, which I chair, we fund the participation of the Government to the Holocaust Memorial. Some people have questioned that we ought to be involved in perpetuating the feeling of horror and revulsion that the American public had at that time about what happened within the Nazi regime to the Jewish people. I am becoming more and more convinced that that historical restatement is necessary so that this generation and succeeding generations of Americans can keep freshly in mind what did happen at an earlier period in history.

It is not simply a matter that people have a short attention span, or that they forget. We sometimes have to remind ourselves how much time has passed, and how many of the American electorate of today were not alive nor aware when those things were happening and, therefore, did not have engrained on their mind as indelibly the horror of the facts as they unfolded at that time.

I think that it is a legitimate question to ask ourselves today, had the British Government, in 1934 and 1935, heeded what Sir Winston Churchill was trying to say to them at that time, would the course of events that culminated in World War II have been changed in such a way that some of the more horrible things that happened would not have happened.

I think that we must ask ourselves the same thing about public understanding of what Soviet ideology is. A great many people said after World War II started that they should have read "Mein Kampf" to understand what Hitler had in mind, because Hitler did lay it out.

It was no secret; he told the world what he was going to do. There was a prediction of what he would do as well as an observation of what he was doing, and we didn't pay attention because we didn't want to believe. We didn't think that it was possible.

So it is that I think we should look with very great care at what Soviet leadership has said consistently for nearly 70 years—what they plan was; how they were going to operate; what their would intend to do; how they would go about accomplishing it—and test against the current events that pattern that they laid out as precisely as did Hitler in "Mein Kampf."

So a recitation of history, as boring as it may be to some, as unsettling as it may be to others, as uncomfortable as it sometimes is for all of us, may be a necessary part of the background against which we judge current events and, therefore, know how to respond. So don't apologize for a recitation of some of the grim facts of history lest we repeat them again.

### INCREASE IN SOVIET WARHEADS

In that context, I think that some of the more recent historical events are subject to a variety of different interpretations, and we always have that difficulty of knowing, as they are happening, what they mean. Could you elaborate upon your statement that the number of Soviet nuclear warheads targeted upon the United States, since the 1979 signing of SALT II, had increased by 75 percent?

How many have been added since 1979?

Mr. **Perle**. We believe that the Soviet Union has added approximately 3,500 ballistic missile warheads since the SALT II Treaty was signed in 1979. In addition to that, some of the missiles involved are launched by launchers that are capable of firing more than one missile. We believe there are refire missiles, so the actual number is probably higher than that.

This comes as a surprise, Senator, to most people who believe, I think wrongly, that SALT II Treaty stabilized the situation, or even entailed significant reductions. The fact is that the Soviets have gone on to build very sizable forces under the terms of the treaty since it was concluded.

### PRODUCTION OF TU-95H BEAR BOMBER

Senator McClure. Are the Soviets continuing to produce the TU-95H Bear bombers carrying long-range cruise missiles?

Mr. Perle. Yes.

Senator McClure. Are those cruise missiles included in the totals that you just gave us about nuclear warheads?

Mr. Perle. No. I believe that the approximate figure I gave you refers to ballistic missiles and not cruise missile warheads.

Senator McClure. What is the evidence that the Soviets signed the SALT I agreements in 1972 fully intending to violate them at the outset?

Mr. Perle. I think that there is a great deal of evidence, some of which was obtained by sensitive means, indications that the Soviets deliberated during the conduct of those negotiations on whether what later turned out to be loopholes were wide enough for them to draw various programs through. Unhappily, they turned out to have negotiated those loopholes very effectively.

The programs that we have seen that exploited ambiguities in the SALT I Treaty were already well underway at the time that the treaty was signed.

To take the single most important Soviet exploitation of a defect in the SALT I Treaty, the substitution of SS-11 missiles with SS-19 missiles. The Soviets had the SS-19 well in development. We believe that they refrained from testing it in the closing months of the negotiations so that we would be unaware of it when we signed the treaty. Immediately after the treaty was signed, we saw the first tests of the SS-19.

The reason why they were anxious to conceal the existence of that missile is that it was a very much larger missile than we believed would be permitted under the terms of the SALT I agreement. The case can be made that there was, in fact, a legal imperfection in the treaty that permitted the SS-19 to be deployed.

The Soviets knew they were building that loophole into the treaty. We know they knew it. The program that resulted increased by six times the number of ballistic missile warheads aimed at the United States for each older missile that they replaced.

I think that if we go back and look over the history of the Soviet strategic weapons program, and trace programs back to their origins—it takes many years, as you know, from the early conceptual stage through the fielding of a full system—we see remarkable continuity in the Soviet weapons program, unbroken by treaty constraints.

### SOVIET DEPLOYMENT OF SS-19 ICBM

Senator McClure. Do you believe that Soviet deployment of the heavy SS-19 ICBM violated or circumvented the SALT I interim agreement?

Mr. Perle. Yes, I believe it was a very clear circumvention of that agreement, carefully planned and executed.

Senator **McClure**. Do you believe that the Soviet testing of SAM-5 missiles and radars in the ABM mode violated the SALT I ABM Treaty?

Mr. **Perle**. This is an area that requires and will receive further investigation by the administration as a whole. I have a personal view on the matter, having looked at the evidence. I believe that the Soviets have conducted a very sizable testing program, using the radars on surface-to-air missile in an ABM mode in contravention of the treaty, dozens of tests. When this issue was raised by previous administrations in the Standing Consultative Commission, the Soviets eventually terminated the program, and we considered that a great success. But they terminated it after they had conducted a very large number of tests and had obtained the information they needed. So I believe that they did, in fact, violate that provision.

### SALT II VIOLATIONS BY SOVIETS

Senator **McClure**. Is it a correct statement to say that if indeed the Soviets are testing two new types of ICBM's, as you have indicated they may be, that it would make three conclusive Soviet SALT II violations, or perhaps two conclusive ones and a probably one with respect to the failure on the limitation of SS-16 deployment. Am I correct?

Mr. **Perle**. Yes, that is correct.

Senator **McClure**. The Soviet failure to dismantle 400 strategic nuclear delivery vehicles in order to reduce their level down to 2,250 under SALT II is perhaps the most obvious Soviet SALT II violation. Why wasn't that violation reported by the President in his first report?

Mr. **Perle**. The Soviets take the position that unless and until the SALT II Treaty is ratified, they will not put into effect the provisions that require them to reduce the number of strategic nuclear vehicles. At the same time, the Soviets said that they would not undercut the SALT II Treaty so long as we refrained from undercutting the SALT II Treaty. It is a matter of interpretation as to whether retaining those additional weapons in their inventory undercuts the treaty or not.

Frankly, Senator, I don't believe that the 400 weapons involved are very important weapons. The Soviets clearly would dismantle their oldest and least effective weapons. Given the overall size of their arsenal, and the large number of new and modern weapons, the 400 older weapons simply don't make very much difference. I make that point because it was one of the claims of the SALT II Treaty that it was going to bring about a significant reduction because the Soviets would be compelled to reduce their total number of strategic nuclear delivery vehicles, under the terms of the treaty, down to 2,250.

What the proponents of that view often failed to say was that the same treaty permitted them to add thousands of new and far more effective and lethal weapons, while dismantling a handful of older weapons. So to put it in perspective, the reductions provision of the SALT II Treaty is not very impressive, while the buildup provisions of it are very impressive indeed.

### PRESIDENT'S VIOLATION REPORT

Senator McClure. In your previous testimony to the Senate Armed Services Committee, you stated that the President's violation report was, I think your term was, "illustrative," and that 20 to 25 Soviet arms control violations remain to be reported upon. Does the President's report of January 23, 1984, fully comply with the McClure-Helms-Symms amendment on a Presidential report?

Mr. Perle. I think we understood that requirement to be a report examining all the possible violations, and we still have more work to do. So I would have to say that you can expect further reporting from us pursuant to that legislation.

Senator McClure. I appreciate that response and, of course, I agree with it because clearly the amendment requires all treaty violations to be studied and reported upon. You and other administration spokesmen in various forums have indicated previously that that was not a total, complete, final, exclusive list, but an illustrative list. I think that it was characterized as such.

The remaining question then must be, when will the President report on all Soviet arms control violations, or at least additional arms control violations?

Mr. Perle. Senator, if past history is any guide, they will always be a little bit ahead of us, and we will probably never ever have a final report. I hope that won't turn out to be the case. It will take us some time working through these, and it is entirely possible that another interim report with another group of violations will be the best way to proceed until we have examined all of them.

The reason why it takes so long is that we feel obliged, not only to examine the evidence available to us, which is often less than we would desire, but we feel obliged to examine every conceivable Soviet explanation, no matter how wildly implausible. There are wildly implausible explanations, some of them are offered to us by the Soviets, and some of them are offered to us by our colleagues. In order to be sure that we will not charge a violation only to have the Soviets respond with an excuse, we have been chasing some pretty wild and improbable Soviet explanations, and tracking the details takes time and effort.

### INFORMING PUBLIC ON ISSUES

Senator McClure. I want to repeat something that you stated in your own testimony this morning, at the bottom of page 5 and the top of page 6. Sir Winston Churchill in speaking to the House of Commons stated, "The worst crime is not to tell the truth to the public."

That is one of the struggles, I think, we are having now, it is to avoid a repetition of that kind of a crime. A free society is entitled to know what its government knows and can tell it. The American public is entitled to have the information. I mention that, not because I think there is any hesitancy on your part in saying it, but I know that the system is extremely cautious.

I know that whenever there is any possible chance that the administration might, indeed, tell the American public the truth, there are a certain number of people who say, "Don't tell them the truth. It is too dangerous to tell them the truth. It destabilizes relations between ourselves and the Soviet Union. It makes the negotiation of other agreements much more difficult. It has all kinds of adverse effects." But it really comes down to the fact that there are some who don't want the American public to know what the truth is. I find that totally indefensible in our society.

Mr. **Perle**. I certainly agree with indefensibility of that, and I can assure you that the President is taking a deep and personal interest in this, and he shares entirely your conviction that the truth must be told to the American people.

Senator **McClure**. I believe that, and I will be pressing the administration as a whole to expedite the procedure at least some so that we have a predictable timetable. Is there any way now to predict when we can look for a further report from the administration?

Mr. **Perle**. We have a second list presently under investigation. I frankly can't tell you the speed with which that list will be disposed of. Others in and around the administration are a bit ahead of us. The General Advisory Committee of the Arms Control and Disarmament Agency has looked at a rather more exhaustive list. I think the Arms Control Agency internally has done so. It is a matter of bringing all of this together. I would hope that we can do it expeditiously.

Senator **McClure**. There are some who have suggested that it is inconvenient to do so now because there is an election this year. I suspect, indeed, that there is some of that thinking.

Mr. **Perle**. If I may suggest, I think the inconvenience associated with a careful study of Soviet violations will inhere to those who have ignored them up until now and continue to ignore them, and not to an administration that is determined to see that they are fully investigated.

### RESPONSE TO LETTER BY SECRETARY WEINBERGER

Senator **McClure**. When will the Secretary of Defense answer the letter by six Senators of March 1, 1984, asking for a report to the Congress on the military implications of the Soviet SALT violations?

Mr. **Perle**. I can't give you a precise date, Senator. It has already been longer than it should have been. I would hope very soon.

There is, I might mention, a serious, and I expect it will be lengthy, examination of this issue underway. So, while I would expect a very near-term response to the letter, work will continue for some time on how we ought to fashion the response.

If I may say so, I think the response of this or any other administration to the pattern of violations that we have reported to you will depend importantly on thinking in the Congress. The worst of all possible ways to proceed in my judgment would be for the administration to assess the military implications of these violations, to come to the Congress with a package of proposals to remedy the problems that result therefrom, and to have that package of proposals rejected by the Congress.

I think that we must work in concert on this. It has been the view of the administration from the very beginning that the critical first step in fashioning a response to this pattern of violations was to share with the Congress our concerns, so that we might begin a dialog aimed at fashioning some executive-legislative responses.

### CUBAN MISSILE CRISIS

Senator McCLURE. Perhaps the time when the Soviet Union and the United States were closest to confrontation was at the time of the introduction of missiles into Cuba that precipitated the Cuban missile crisis, characterized a series of negotiations between President Kennedy and Secretary Krushchev, a series of negotiations, a series of correspondences that have now become somewhat enshrined as an agreement.

I suspect the truth is that it was a series of exchanges, and an understanding outlined by a series of conversations, memoranda, letters, et cetera. Am I correct, that there is no such thing as a single document, such as a treaty?

Mr. PERLE. I believe that is correct, although I have not seen the written record that documents the obligations undertaken by the Soviets.

### CUBA AS BASE FOR MISSILES

Senator McCLURE. The Senate Foreign Relations Committee, under the leadership of Senator Helms, tried very hard for some period of time to ascertain just what that agreement was, and upon what it was based.

I don't want to get too far afield into exactly how that was accomplished or what its physical form is, but there was an understanding which was presented to the American public as a fact by President Kennedy and his administration. That fact dealt with the introduction of offensive weapons into Cuba, as I recall the language.

So the American public for all of the years, now over 20, have believed, based upon American administration statements to the American public, that there is an agreement that bars Cuba as a base for offensive weapons that could be used against the United States.

Without going further as to other ramifications of that, it mobilized American thinking, it mobilized American political support for an administration. As late as 1980, Senator Church, then the chairman of the Foreign Relations Committee, dramatically announced the presence of a Russian brigade in Cuba as a threat to the security of the United States, and as a violation of the agreements that had been achieved under the Kennedy administration.

What is the truth today with respect to compliance by the Soviet Union and the Government of Cuba with respect to offensive weapons placement in Cuba?

Mr. PERLE. Senator, as I said earlier, I have not seen the documentary record that lays out the obligations assumed by the Soviet Union. There is no doubt that there has been an expanding pattern of Soviet military activity in and around Cuba for many years.

In my judgment, that pattern of activity has been aimed at testing how far they could go before provoking an American response. It has reached the point where, I think, it was fair to characterize as my former boss, Scoop Jackson did, Cuba as a Fortress Cuba. It is bristling with Soviet weapons.

It is a fair question to ask whether all of the weapons that are based in and around, and operate from and call at Cuba ports, are within the letter and the spirit of whatever obligations were undertaken by the Soviets in 1962 and beyond. I can't answer that question.

I do know that the documentation necessary for an evaluation of those Soviet obligations is not easy to come by. The Department that possesses it is reluctant to share it, and it has been for years. A colleague of mine, who attends Cabinet meetings, had enormous difficulty in obtaining that material.

I think that it is probably well worth a careful examination, and because that body of obligations constitutes an arms control agreement of sorts, it probably ought to be included in the list of areas examined pursuant to your legislation.

Senator McClure. I hope that it will be, and I expect that it will be. It is more than a hope on my part because, again without trying to dot "i's" and cross "t's" as to the form of the understanding, the American public believed, based upon continuous representations by our governments over the last several years, and under several different administrations, that there is a form of agreement and understanding between our countries as to what we expect and we will tolerate with respect to the build up of military capability inside Cuba.

I mentioned Senator Church's statement in 1980 as a very recent expression of outrage at what he characterized as a violation and a threat to the United States based upon one brigade of Soviet soldiers in Cuba.

### MARITIME THREAT IN WATERS AROUND CUBA

Mr. Perle. I am rather more concerned about the maritime threat emanating from Cuba because a very high percentage of American reinforcement shipping, in the event of a conventional conflict in Europe, will pass through waters that are vulnerable to ships based in and around Cuba. At the very least, the presence of significant Soviet maritime assets in and operating from Cuba will cause the United States to divert precious naval resources to protecting that sea line of communication.

In a larger sense, this concern is echoed by our concern with the situation in Central America. But the military problem arising from the use that the Soviets have made and continue to make in Cuba is a very serious one.

### SOVIET AIRCRAFT IN CUBA

Senator McClure. If we could be concerned about the introduction of a few intermediate range ballistic missile in the early 1960's, if we could still express outrage and concern over the presence of a brigade of Soviet soldiers in Cuba, how much more serious should we view the fact that they have nuclear capable fighter aircraft and light bombers?

Mr. Perle. I think that we should view that very seriously, indeed.

Senator McClure. Setting aside for a moment the base for activity it may be with respect to destabilization of regimes elsewhere. If we ignore completely the geopolitical effect of the military presence in Cuba of the size that the Soviet Union maintains there. If we look only at the perceived threat, as stated in the early 1960's and as late as 1980, of a direct effect to the continental United States, I think any serious evaluation of that capability is today very, very much greater than any threat articulated in the past against which we reacted very strongly.

Again, I think the American public ought to know, although there is certainly a danger in telling the American public the truth, and then accepting the truth as something that is both acceptable or at least irreversible and, therefore, we must learn to live with it. There may be a danger in having accepted the level of threat, which is apparent to me and to some others if, indeed, the information we have is correct about the level and the kind of armaments now stationed in Cuba.

As an example, I didn't see it stated anywhere, but I know that it is not the result of any classified briefing that I have gotten, but the statement came at some point that a Soviet brigade has been identified as being from that unit of the Soviet Army that are known to guard nuclear weapon installations on Eastern Europe. Whatever that may mean, the implication being that they must be there because there are Soviet nuclear weapons present in Cuba.

Mr. Perle. I was unaware of that. I would think, Senator, that at the very least it would reflect knowledge in Moscow that if the Cuban people were free to choose their government, they would want nothing of the current regime, and even less of the Russian forces on the island.

Senator McClure. Thank you very much for your testimony. I look forward to working with you and other members of the administration as we continue to press, not only for the information, but also to have an assessment of what that information means. We must continue to do that, I believe, because the next step, after finding out whether there is a violation, is to determine what its implications are for us, and then what we should do about it.

Senator Kasten.

Senator Kasten. Thank you, Mr. Chairman.

Mr. Perle, it is a great pleasure to have you here this morning. I think that your topic, the implications of Soviets arms control violations is a very important one.

### NEW SOVIET VIOLATIONS IN LIGHT OF NEW PROPOSED TALKS

This discussion could not be more timely, given the fact that there is a great clamor for the United States to achieve new arms control agreements with the Soviets at precisely the time that we are given evidence that they are systematically violating the arms agreements that already exist.

It has been common over the last 20 years to cite arms control agreements as living examples of how two philosophically opposed political systems can coexist on the same planet. Yet, during this same period, the Soviets have consistently and flagrantly violated these very agreements.

Such violations call into question not only the integrity of the agreements themselves, but also the whole process of negotiating with the Soviets. I believe that before there can be meaningful progress in arms control, the issue of Soviet failure to comply with international agreements must be seriously addressed.

It seems to me that the most dangerous threat to world peace is the combination of the massive Soviet strategic buildup over the past decade, and that nation's failure to comply with agreements that have curtailed our own military programs.

As you say in your prepared testimony, there has been almost a 75-percent increase in Soviet nuclear warheads aimed at the United States since SALT II was signed in 1979. At the same time, rigid U.S. adherence to arms control agreements has only served to enbolden Soviet strategists to seek unilateral advantages.

It is not so much the nuclear arsenals of the United States and the U.S.S.R. that threaten peace I believe, but, the growing Soviet belief, reinforced by our failure to demand strict compliance with existing treaties, that we will do nothing to prevent them from expanding their own arsenal one way or another. As a result of our not augmenting arms control with a credible policy of compliance, we and our allies have allowed the Soviets to use the commendable objective of containing the arms race for their own strategic advantage.

I believe in arms control, and I know you believe in arms control. Indeed, all of us believe in arms control, but as a means to a more stable and a peaceful world, and not as an end in itself. Unfortunately, because of Soviet abuse of the arms control process, arms control has become, itself, a major source of instability.

To get arms control back on the right track, it is necessary to correct those aspects of the process that have been so easily abused. An important first step in this direction, I believe, would be to establish a credible U.S. compliance policy, and the best place to begin in this regard is with the implications of Soviet noncompliance up to this point.

In 1961, Fred Ikle wrote a classic article for the journal, Foreign Affairs, in which he pointed out that "it is necessary for any government to go beyond the technical aspects of verification, and to develop an effective policy of compliance which it is willing to enforce in the event of violations."

### COMPLIANCE PROBLEMS

Does the United States today have an effective policy of compliance that we are willing to enforce in the event of violations?

Mr. Perle. I think that it is fair to say that the compliance problems, or most of the compliance problems that we face were part of the legacy of neglect by previous administration or, to put it in terms of your question, the absence of a compliance policy.

The first step in developing a compliance policy is to recognize that noncompliance has taken place, and that has now been done, and it will continue to be done with respect to other areas in which there may be Soviet noncompliance. I think the second step is to fashion some sensible responses, and I believe that can only be done by the Congress and the executive branch working closely together.

An immediate first step would be to give full approval to the President's request at least with respect to the Strategic Modernization Program. To cut that budget in the aftermath of Soviet violations, I think, would only encourage the Soviets to the view that they can continue to violate with impunity, without suffering the consequences that people have wrongly assumed would inevitably follow the detection of a Soviet violation.

So, as I said in my opening statement, the essence of a compliance policy must be imposing on the Soviets costs for noncompliance that are at least equal to the gains. We have not done that in the past, but I hope that in the course of consultation between the executive and legislative branches, we will fashion a response to the current Soviet noncompliance that will set us on a path to a real compliance policy.

Senator **Kasten**. Then your answer to my question is that we do not have an effective policy of compliance which we are willing to enforce in the event of violations today, but you look forward to working with the legislative branch in developing one on behalf of the executive branch. Is that a summary of your answer?

Mr. **Perle**. That is correct, recognizing that we have taken the first step which was to examine and report on the pattern that has emerged.

Senator **Kasten**. You are prepared to say that we took that first step together?

Mr. **Perle**. Indeed, we did.

### STANDING CONSULTATIVE COMMISSION

Senator **Kasten**. A number of people who are critical of the decision to publicly accuse the Soviets of arms control violations have stated that it would have been much better to handle all of these charges through channels within the Standing Consultative Commission. What is your assessment of how well SCC has functioned?

Mr. **Perle**. I think that it has functioned extraordinarily well from the point of view of the Soviets, but rather badly from ours. The net effect of hundreds of hours of SCC deliberations has been to elicit the scantest information from the Soviets in response to our questions, and a very high percentage of what we know about Soviet behavior, I would venture to say, 99.9 percent, comes not from what they tell us in the SCC, which is an institution set up so that they can provide us with information to allay our concerns, but rather from intelligence sources.

In most cases, we have raised issues with the Soviets, discussed them, and then concluded that the problem had somehow gone away, in some cases because they stopped doing what we had complained about, which is fine as long as they have not accomplished their purpose in the meantime, but in some cases I believe they have, or we have found other ways to persuade ourselves that the matter has been successfully examined in the SCC.

The SCC is not an enforcement agency. It is not a mechanism to assure compliance, and it has failed in both of those regards. I think that we would be most unwise to expect that the SCC is going to be a very fruitful place for the resolution of our differences. It has done, let me say, some useful work in developing procedures by which weapons might be dismantled. So it does have that important function.

It is a mistake to build more expectation into the functioning of that institution than is warranted.

Senator **Kasten**. I have some additional questions, Mr. Chairman, but I think that it might be better to proceed with the other witness.

I would just like to say that there are a number of us who want to go considerably beyond simply supporting the President's request on the defense budget.

We want to work with you in terms of developing an effective policy of compliance that we, as a country, as a government, are willing to enforce. I am not sure that we have one right now, and I appreciate your candid answer to my questions. We are going to have to work on that, and I think there is a large number of us who are interested in pursuing that direction.

Thank you, Mr. Chairman.

Senator **McClure**. Thank you, Senator Kasten. I very much appreciate your concern and your participation here this morning.

### U.S. FORCE REDUCTIONS IN RESPONSE TO SALT LIMITS

Senator Hollings had a couple of questions, that he asked that I ask on his behalf. The first is, can you describe the actions the administration is taking in dismantling some of our strategic forces in response to SALT limits?

Mr. **Perle**. Yes. It is a little bit complicated to answer this and the reason for that is that the SALT limits are pretty general, and so we have some flexiblity in how we respond. Some action that we are taking to dismantle various systems could be described as stemming from our SALT obligations, but in some cases they are in fact being undertaken for other reasons.

For example, we are in the process of dismantling some Titan ICBM's, not in order to comply with SALT provisions which don't require that they be dismantled, but because in our judgment, the age of those systems, the costs of maintaining them and operating them commend that they be dismantled.

We are now faced with the situation in which in order to remain below the numerical ceiling as new weapons are entered into our inventory, we will have to dismantle some older submarines, some of that has already been done. There are questions as to whether those submarines can be converted to other uses. The Soviets are converting the ones they dismantled to other uses. In due course, we could find ourselves having to dismantle beyond the older submarines, but we are not yet at the point where the dismantling is a serious burden on our own programs.

### DISMANTLING OF U.S. SYSTEMS

Senator **McClure**. Why are we doing this when the Soviets are not adhering to the treaty's requirements?

Mr. **Perle**. Because a judgment was made early in the administration that we would not take action inconsistent with the treaty, if the Soviets did not take action inconsistent with the treaty.

Let me rephrase that. The magic words were that we would not take action to undercut the treaty if the Soviets didn't. We now have concluded that the Soviets are in violation. We have yet to decide whether this undercuts in the meaning of the exchange of unilateral assurances. I believe that the continuation of the policy of taking no action that undercuts the treaty must inevitably be part of the ongoing examination that the administration is making of how best to respond. So the jury is out, I believe, on what our future course of action will be.

The last time I said this there were stories in Europe that we were considering dropping the SALT II constraints, and I don't want to be misunderstood as saying that. I think that it is obvious, in looking at the full range of possible responses to the situation with which we are confronted, that one of them must be examining whether we should feel bound by limitations that we now know the Soviets are violating.

It is an open question, and it is under study within the administration.

### SUBMITTED QUESTIONS

Senator **McClure**. Thank you very much, Mr. Secretary. There may be some other questions that Senator Kasten indicated he wishes to submit for the record. Senator Garn has a couple that he will submit for the record, and there may be others as well. Senator Stevens, I am certain, will have some. We will submit those questions to you in writing for response in writing for the record. I very much appreciate your appearance here this morning.

Mr. **Perle**. Thank you very much.

Senator **McClure**. Thank you.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

# QUESTIONS SUBMITTED BY SENATOR D'AMATO

## Unilateral Soviet Deployment of Defensive Systems

Question: Let me paraphrase a nationally recognized expert on the military balance between the United States and the Soviet Union made to me in a private discussion. He said that a study of military history reveals a series of swings between offensive dominance and defensive dominance. We are now, he said, thanks to the unprecedented destructive power of nuclear weapons and the technical difficulties in constructing an effective defense against ballistic missile delivery systems for these weapons, in a situation of near-absolute offensive dominance. Yet, if history is any guide, this is an extremely temporary condition, and the first side to devise an effective defense against these ballistic delivery systems will emerge into a situation of military dominance. He said he had examined Soviet efforts in this area and concluded they were seriously working on the problem and had made great progress. He went on to say that if we did not respond and they were successful, "We might as well take our marbles and go home." Do you believe his analysis is valid?

Answer: If the Soviet Union were to unilaterally develop and deploy effective defenses against ballistic missiles in conjunction with that nation's already extensive air and civil defense network, our ability to deter aggression against ourselves and our allies would be reduced to a very low order. In view of the fact that the Soviet Union has been working on advanced technologies to defend against ballistic missiles for many years now, this is not an idle concern. To avert such an event, it is essential that the U.S. pursue the President's Strategic Defense Initiative. In this way, the option to deploy effective defenses against ballistic missiles will be one which the U.S. and the Soviet Union share and thus, constitute not an option for coercion, but an opportunity for greater stability.

## ABM Treaty Violation

QUESTION: Assuming the Soviet Union made the decision to deploy a nationwide ABM system, what contributions to the potential success of such an effort would their past and present violations of the ABM Treaty make?

ANSWER: The radar under construction near Krasnoyarsk is almost certainly a violation of the ABM Treaty, and not only closes a major gap in Soviet ballistic missile tracking capability, but also is an important element of a potential future ABM system. In addition, the US is concerned that other large Soviet radars --the six new LPARS, eleven Hen House and the three ABM radars at Moscow--could form a major element of a Soviet nationwide ABM system. Radars are the most expensive and longest lead-time component of an ABM system. [Deleted.]

There are certain other Soviet activities that raise concerns over the potential upgrade of Surface-to-Air missiles into ABMs. As we reported in Soviet Military Power, 1984, "Both the SA-10 and SA-X-12 may have the potential to intercept some types of U.S. strategic ballistic missiles as well. These could, if properly supported, add significant point-target coverage to a wide-spread ABM deployment."

[Deleted.]

## Soviet Union and MAD

Question: In light of Soviet efforts in active and passive strategic defense, do you believe they ever accepted our concept of "Mutually Assured Destruction," or MAD, as the basis of their strategic planning and their strategic relationship with the West?

Answer: The Soviet Union has never accepted the concept of deterrence as we generally understand it in the West. In fact, the term deterrence is not used by the Soviets except in a pejorative sense to describe U.S. policy. Rather, the Soviet military in their writings, and more importantly in their force deployments, have indicated that they continue to adhere to Clausewitzian dictum that war is the continuation of politics and that, in fact, the Soviet Union could "win" a nuclear war under some conditions. To that end, the Soviets have deployed a massive, modern, and highly effective ICBM force which threatens the survivability of our current Minuteman missiles. In conjunction with this, the Soviets seek to minimize damage to the USSR from any U.S. retaliatory strike through their massive and modernizing air defense system, their extensive and growing civil defense network, and the on-going improvements to their Moscow BMD system.

It is not at all clear to us what the Soviets mean by "winning" a nuclear conflict. For our part we have no illusion that anyone could win a nuclear war and firmly believe that such a conflict must never be fought. Thus, as underscored by the Scowcroft Commission, it is necessary to deter the Soviet leadership with its distinct ideological and geo-political agenda. To accomplish this end, we must have a strategic force posture which clearly demonstrates to all that there is little to gain and much to lose in initiating hostilities against the U.S. or its allies. And we can best maintain this posture by realizing the President's integrated and mutually supportive strategic modernization program.

## Soviet Strategic Doctrine

Question: Based upon unclassified sources, please describe in detail Soviet strategic doctrine as it is known to us.

Answer: It is important to note that for historical, political, socio-economic and even cultural reasons Soviet strategic doctrine has evolved in a direction different than our policy of deterrence. In fact, the term deterrence is not used in the Soviet context except in a pejorative sense to describe U.S. policy. Rather, the Soviet military, which has almost totally dominated the process of developing Moscow's strategic doctrine and the associated informational flow to the ruling Politburo, has continued to view nuclear weapons as potentially useable instruments of policy. In fact, the Soviet strategic doctrine has remained loyal to Clausewitz's dictum that war is the continuation of politics by other, i.e. violent, means. Within this general orientation of their strategic doctrine, the Soviets seek to gain the initiative in whatever campaign, including nuclear, is at issue and to hold that initiative until they achieve their war goals. It further appears to be the case that the Soviets believe that, under certain circumstances, they can "win" a nuclear conflict.

It is not at all clear to us what the Soviets mean by "winning" a nuclear conflict. For our part we have no illusion that anyone could win a nuclear war and firmly believe that such a conflict must never be fought. Thus, as underscored by the Scowcroft Commission, it is necessary to deter the Soviet leadership with its distinct ideological and geo-political agenda. To accomplish this end, we must have a strategic force posture which clearly demonstrates to all that there is little to gain and much to lose in initiating hostilities against the U.S. or its allies. And we can best maintain this posture by realizing the President's integrated and mutually supportive strategic modernization program.

## Soviet Strategic Doctrine and Arms Control

QUESTION: Please provide your view of how Soviet arms control policy relates to their strategic doctrine.

ANSWER: The Soviet leadership regards military power as the foundation of its national power. Its military doctrine embraces a strategic counterforce emphasis and it places great importance on both active and passive defenses to limit damage even in nuclear war. Its national objectives concerning nuclear war, if deterrence fails, are quite simple—to fight, survive and win any conflict.

The Soviet Union regards arms control negotiations as arenas of political conflict in which important military advantages can be gained or lost. The Soviet leadership does not think in terms of mutuality or perceive arms control negotiations as a means of reducing arms. They attempt at every turn to achieve strategic advantage. They typically propose agreements which grant them monopolies on important weapons systems--such as the "half zero option" in the INF negotiations and their demand for a monopoly on "heavy" ICBM in the strategic arms negotiations.

## Soviet Strategic Doctrine and Arms Control Violations

QUESTION: Please explain how you believe each of the Soviet arms control violations listed in the President's January 23, 1983 report to Congress relates to their strategic doctrine. Make note of any inconsistencies you may find.

ANSWER: The violations and probable violations that we see appear linked to the basic Soviet national security strategy which calls for forces that can fight, survive and win a nuclear conflict. The Soviets regard the ability to prevail in a nuclear conflict the best deterrent of that conflict. They procure strategic forces with major counterforce and damage limiting capabilities.

The Krasnoyarsk radar makes a major contribution to the Soviet potential to breakout of the ABM Treaty [deleted] [deleted.] Strategic defenses are a vital part of Soviet strategy.

The SS-X-25 and the SS-16 both represent Soviet efforts to enhance the survivability of their ICBM force through mobility. Such systems cannot be effectively targeted when they are in the field. This contributes not only to deterrence, but also to Soviet ability to fight a protracted nuclear war.

Soviet encryption is intended, at least in part, to deny us vital data concerning Soviet violations of the SALT II Treaty.

Soviet chemical and biological warfare violations clearly have great military significance. The Soviets now possess an entire category of biological weapons that are banned under international law. They have obtained combat experience in the use of both chemical and biological weapons, something no Western army has.

The Soviet violation of the Helsinki Final Act came at a time when the Soviet Union was contemplating, apparently, military action against Poland.

Soviet violations of the TTBT could allow the Soviet Union to develop new, modernized warheads with higher yields than they could have done if they were in compliance with the TTBT. [Deleted.]

### Soviet Deception in the SALT I Negotiations

QUESTION: I have, on previous occasions, asked witnesses if they believe the Soviet Union has negotiated deceptively in the course of our attempts to reach arms control agreements with them. I have received generally non-responsive answers. You testified that we learned "through sensitive means" that the Soviet Union's leaders were intentionally seeking to insert ambiguities in SALT I so they could continue with planned programs. They were successful in achieving the desired degree of ambiguity and did, in fact, proceed with their programs. Do you believe they have negotiated deceptively with us?

ANSWER: The Soviet Union clearly negotiated deceptively in SALT I. During these negotiations they constantly assured us that it was not necessry to "dot every 'i' and cross every 't'" and that they would honor these agreements in good faith.

Referring to the case of the SS-19, President Nixon later recorded:

> "First they (the Soviets) try to deceive us, in order to disguise their intentions and make us relax our will... in cases such as substitution of heavy SS-17 and SS-19 ICBMs for the light SS-11s, Soviet force modernization exploited loopholes in the SALT I agreement contrary to our understanding of that Agreement."

[Deleted.]

### Significance of Soviet Arms Control Violations

QUESTION: Please provide this Committee with your assessment of the military significance of each of the arms control violations listed in the President's January 23, 1984 report to Congress.

ANSWER: The Krasnoyarsk radar, if part of a future Soviet ABM system or covert upgrade of Soviet SAM missiles, would have great military significance.

Soviet violations of the chemical and biological warfare treaties have great potential military significance. Soviet violation of the SALT II encryption provision has no direct military significance but denies us vital data which is necessary for defense planning and monitoring arms control treaties.

Soviet violations of the Helsinki Final Act is of relatively minor significance.

If, as the Soviets assert, the SS-X-25 is not a second new type, then it is in violation of the SALT II 50% criterion. It would be militarily significant if the Soviets were able to exploit this violation to covertly deploy additional RVs on this nominal single RV missile.

Covert deployment of the SS-16 would augment the Soviets already enormous ICBM capability.

Soviet nuclear tests above 150 kt could allow the Soviet Union to develop new modernized warheads with higher yields than they could have done if they were in compliance with the TTBT. [Deleted.]

QUESTION: In your prepared testimony, you say that "[The Soviets] care nothing for the spirit of agreement and, while it suits their purpose, little more for their letter." What implications, in your view, does this Soviet attitude hold for the design of our negotiating positions in current and future arms control talks, especially concerning verification measures and compliance procedures?
ANSWER: As I said in my testimony, "The fact that the Soviets have cheated in the past does not rule out the possibility of mutually beneficial agreements in the future, but it does rule out the type of ineffective agreements based upon wishful thinking we have negotiated in the past—and which some propose today." It clearly means that we have to be exceptionally careful in dealing with the U.S.S.R. We must, of course, avoid silly, simplistic arms control approaches, such as the nuclear freeze or copying past approaches to arms control that have failed and/or have resulted in Soviet arms control violations.

## Evidence of Soviet Arms Control Violations

QUESTION: It appears that many in the West require "proof beyond a reasonable doubt" of Soviet arms control violations before they will believe they occurred. Yet, the verification procedures written into our current treaties will not provide such a level of evidence. How should we go about proving to the American people and the people of the West that serious Soviet violations have occurred?
ANSWER: There is, of course, a problem of "proving" that the Soviets are violating arms control agreements. Some of the information is very sensitive and cannot be released without hurting sources and methods of intelligence collection. I have favored as great as possible disclosure of the facts concerning Soviet violations. Additional material of this nature is included in the most recent edition of Soviet Military Power.

QUESTION: Would you support declassification of the majority of the evidence we hold of Soviet violations so it could be used in the public debate in support of the President's case?
ANSWER: It is not possible to talk about declassifying the "majority" of evidence. It is not a question of amount but of the source of the data. I believe that it is possible to release more of the evidence, but there will always be significant amounts of information that cannot be publically released.

Question: We continue to see front page newspaper stories attributing "yellow rain" to bee droppings. Please provide this Committee with a description of the Department's efforts to resolve this bee droppings issue.

Answer: We support the Administration position which has repeatedly stated that such a theory ignores and is inconsistent with the large body of scientific data as well as other factual evidence which has been presented and is in the public record. The hypothesis that chemical warfare in Southeast Asia is a natural phenomenon has been studied and rejected by both responsible and qualified scientists in and out of the government in this country as well as other countries. We are continuing to study the role of pollen which has been identified in some, but not all, samples which have been analyzed. When these investigations are complete they will be presented to the scientific community for review just as all other evidence has been provided for public review.

Question: What, in your view, is the long term strategic significance of chemical and biological weapons, given the recent explosion in genetic engineering technology and its probable applications in this field?

Answer: Our concerns in this area stem from apparent efforts on the part of the Soviet Union to transfer selected aspects of genetic engineering research to their biological warfare centers. For biological warfare purposes, genetic engineering could open a large number of possibilities. We continue to support the development of verification and compliance procedures for the Biological Weapons Convention which would help alleviate these concerns. Regarding chemical warfare possibilities, the strict verification and compliance procedures being proposed by this country will help eliminate misuse of a technology which promises to have significant benefits to mankind in a variety of fields which include medical applications, materials development, and particularly agricultural products.

Question: Please describe the verifications concerns the Department would have regarding any new bilateral agreement banning chemical weapons.

Answer: Monitoring and verification measures in the U.S. draft CW treaty would provide the following levels of monitoring confidence for the tasks indicated:

1) insuring that declared stocks cannot be used without warning during the destruction period ... [deleted.]

2) insuring that all declared stocks are effectively destroyed ... [deleted.]

3) insuring that declared production facilities are closed, and destroyed along with any process equipment ... [deleted.]

4) insuring that declared commercial facilities (of certain descriptions) are not converted for CW purposes ... [deleted.]

Note that these confidence levels can be achieved only for activities declared in accordance with the treaty. These measures do nothing to detect possible undeclared stockpiles or production. [Deleted] we have sufficient information to assess a significant CW threat, [deleted.] Therefore, these problem areas of potential military significance would remain:

- First, a threat from dual purpose agents such as hydrogen cyanide would remain. The USSR retains hydrogen cyanide in its inventory, and this could present a grave danger to unprotected or surprised troops and civilians. These agents are produced in vast quantities for legitimate purposes, and we see no way to monitor this situation. It would not be necessary to research, develop, test, produce or stockpile for military purposes. Dual purpose agents could simply be acquired when needed. [Deleted].

- Second, a potential for significant undeclared production would remain. The inspection regime for plants designed to produce certain high risk chemicals gives some safeguard against conversion from commercial to nerve gas production. It does nothing to detect conversion of other types of facilities to produce agents such as mustard. It would also be very simple not to declare a commercial facility capable of producing super toxic lethal chemicals, or not to declare a military chemical production facility already in existence. [Deleted.]

- Third, a potential for significant undeclared stockpiles would remain. [Deleted.] We are aware of no measure which would improve our confidence that all stockpiles and production facilities are declared or identified. When some information, whatever its origin, does lead to suspicion, this might be confirmed or allayed by the mandatory, swift, unimpeded special on-site inspection measure (Article X). Inspection techniques, which would safeguard industrial secrets, but still provide high-moderate confidence that illegal activities could be detected, can be devised. [Deleted.] Therefore, the special OSI is more of a deterrent to violation than a monitoring tool. The potential strength of that deterrent cannot be determined.

Because of these verification problems, a bilateral approach has been developed to complement, not replace, the multilateral approach. As currently envisaged, this would involve a data exchange and implementation of pertinent verification measures. This would afford us the opportunity to satisfy ourselves about the integrity of Soviet declarations, and about Soviet intentions to cooperate with verification measures. Thus we would be able to check Soviet declarations [deleted] and inquire about any doubts raised in the process. In summary, this would still leave the three potentially militarily significant problem areas: (1) dual purpose chemicals, (2) undeclared production or conversion, and (3) undeclared stockpiles.

## U.S. and Soviet ASAT and Defensive Technology Activities

Question: Critics have charged that the President's Strategic Defensive Initiative and our anti-satellite weapon development program mark the beginning of a new "arms race in space" and represent a drive toward the "militarization of space." Please describe Soviet efforts as they currently exist and compare them with present U.S. efforts.

Answer: With regard to ABM activities, the Soviet Union is currently upgrading the world's only active ABM system, pursuing R&D on a rapidly deployable ABM system and, more importantly, is pursuing a substantial, advanced defensive technologies program, including directed energy technology, which could lead to the testing of space-based ABM systems in the mid-1990s and deployment after the turn of the century.

With regard to ASAT activities, the Soviet Union maintains the world's only operational ASAT system which it tests **[deleted]** to refine its capabilities. The Soviets also are at work on advanced laser systems which, among other things, could lead to the deployment of an operational space-based laser ASAT capability in the early 1990s.

In response to these Soviet efforts, which, if left uncountered, would seriously weaken U.S. and allied security, the U.S. is testing the miniature vehicle, air-launched ASAT system, examining the potential of laser technologies for ASAT postential and, with Congressional approval, will examine the potential of advanced technologies (directed and kinetic energy weapons, precision sensors, miniaturized electronics, etc.) to support the development of effective defenses against ballistic missiles. These U.S. programs are essential to our effort to maintain a stable deterrent capability in the years ahead.

## Implications of a Termination of U.S. Work on ASAT and SDI

Question: If the President's Strategic Defense Initiative and our current ASAT work were terminated, do you believe Soviet efforts would continue, and to what effect?

Answer: The Soviet ABM and ASAT programs, as with most Soviet military programs, have a life and rationale all of their own, irrespective of U.S. efforts. The Soviet Union has maintained extensive programs in ABM and ASAT technology for many years--long before the initiation of the Strategic Defense Initiative and the miniature vehicle ASAT program. As a consequence, the Soviet Union can be expected to continue to maintain their long-standing efforts in ABM and ASAT technologies, regardless of whether the U.S. were to abandon its own efforts. If the U.S. were to abandon its own efforts in these technologies, we would be left vulnerable to a Soviet monopoly that would seriously jeopardize U.S. and allied security.

## U.S. Compliance

QUESTION: In a recent Aide Memoire, the Soviet Union charged the United States with several arms control violations. Please provide a point-by-point discussion of these charges.

ANSWER: The Reagan Administration has released a Fact Sheet refuting irresponsible Soviet charges of U.S. violations. A copy of the sheet is attached.

QUESTION: What form, in your view, should an arms control compliance policy take?

ANSWER: The U.S. should vigorously pursue compliance issues with the Soviet Union and demand that the Soviets take corrective action when we detect violations. If this fails, the US should be prepared to take those measures necessary to maintain our national security in the face of Soviet violations.

QUESTION: We rely for verification of current arms control agreements upon "National Technical Means," which is an euphemism for our most capable and sensitive intelligence systems. Yet, in a democracy, we must employ evidence of arms control violations to build public support for necessary countermeasures. Without this support, the necessary substantial commitment of national resources to respond to violations would not receive Congressional approval. Since the evidence of Soviet violations is the product of our most sensitive and capable intelligence systems, it is also very highly classified. We are thus confronted with a dilemma: either we disclose the evidence and allow the Soviet Union to discover and take countermeasures against our best intelligence sources and methods, or we withhold the evidence, as we are presently doing, and hope that we can employ rhetoric to convince the public of the facts only those with appropriate clearances can see. As you review media and public reaction to the President's January 23, 1984 report, do you believe our present course of action is effective in convincing the American people and the people of the West that the Soviet Union has committed very serious, militarily significant violations of its major arms control undertakings?

ANSWER: I believe that there should be the maximum possible disclosure of information to the public on arms control violations. We have recently released additional information in the Soviet Military Power, 1984, and I hope that we will do more in the future.

April 19, 1984

## Facts Concerning Soviet Charges of US Arms Control Noncompliance

On January 23, 1984, the US Government, in response to a Congressional mandate, delivered a report to the Congress on seven serious Soviet arms control violations and probable violations with respect to a number of Soviet legal obligations and political commitments in the arms control field. The findings of that report were reached after a careful review of many months and numerous diplomatic exchanges with the Soviet Union.

On January 30, 1984, the Soviet Union made public an aide-memoire which had been delivered a few days earlier by its Embassy in Washington to the US Department of State and which contained a long list of varied allegations concerning US adherence to existing arms control agreements. The Soviet charges of US arms control violations are baseless. As President Reagan stated on January 23, 1984, in providing the Report to the Congress on Soviet Noncompliance with Arms Control Agreements, "the US is continuing to carry out its own obligations and commitments under relevant agreements."

The US Government hopes this initial reaction by the Soviet Union to the President's Report is not its last word, and that the Soviet Union will discuss seriously and in detail the issues we have raised on compliance, by providing explanations and clarifications, and undertaking corrective actions, where necessary.

This report addresses Soviet allegations and provides a summary of the facts for each allegation.

### 1. SALT II: the Protocol

Soviet Allegations: The Soviet Union asserts that, by its refusal to ratify the SALT II Treaty, the United States has not implemented the agreement in the associated Joint Statement of Principles to pursue negotiations to resolve the SALT II Protocol issues concerning the development of solutions for long-range sea- and land-based cruise missiles. The Soviet Union further claims that the US refusal to ratify SALT II occurred, in part, in order that the US would "have a free hand for the massive deployment of long-range cruise missiles."

The Facts: The Soviet assertions are groundless. In 1979, NATO decided both to deploy land-based, longer-range INF (LRINF) missiles in Europe in response to a specific and growing Soviet nuclear threat, highlighted by the appearance of the SS-20, and, at the same time, to seek an arms control agreement limiting LRINF systems on both sides. US willingness to enter into those negotiations was fully consistent with provisions of the Joint Statement of Principles concerning negotiation of follow-on limitations on cruise missiles. The US remains willing to return to negotiations on LRINF systems, including ground-launched cruise missiles (GLCMs) at any time. It is the Soviet Union which has broken off the INF talks and thereby impeded efforts to negotiate an agreement involving GLCMs. Thus the nonratification of SALT II is completely irrelevant, since the US is willing to discuss the issues in the Protocol in any case. Furthermore, the US is prepared, without any preconditions or reservations, to return immediately to the INF negotiations and to the START negotiations in which, as we have stated many times, everything is on the table. The US made clear during the SALT II negotiations and later publicly, however, that the limitations in the Protocol, which was to expire in 1981, would not serve as a precedent for any future limitations.

The decision by the Carter Administration in January 1980 to request a delay in Senate consideration of the SALT II Treaty was a direct result of the Soviet Union's own actions, specifically its invasion of Afghanistan in December 1979. Subsequently, in May 1982, the Reagan Administration noted, in a statement made by Secretary of State Haig before the Senate Foreign Relations Committee, that the Treaty was essentially rejected by the United States Senate in hearings held in July and August of 1979 and that it considered the Treaty to be dead, a Treaty the Administration, in any case, considered fatally flawed and inadequate to protect US national security. About the same time, the President stated that the US would refrain from actions that undercut existing strategic arms agreements, as long as the Soviet Union shows equal restraint.

## 2. SALT II: Noncircumvention and International Commitments

Soviet Allegation: The Soviet Union asserts that, by initiating the deployment of Pershing II ballistic missiles and longer-range, land-based cruise missiles in Europe, the United States ". . . has proceeded to violate the SALT II Treaty provisions against circumventing the Treaty through any other state or states, or in any other manner, as well as against assuming any international obligations which would conflict with that Treaty." The Soviet Union concludes that the deployment of these systems "in no way corresponds to the US commitment to refrain from actions undercutting the SALT II Treaty."

The Facts: NATO's Pershing II and GLCM programs do not circumvent the provisions of the SALT II Treaty. Two points pertain. First, the Pershing II missile falls outside the SALT II Treaty since its range is less than the 5,500 km minimum set for intercontinental ballistic missiles, as defined by SALT II. Second, the only provision of SALT II which would have applied to LRINF systems was contained in its Protocol which prohibited deployment of ground-launched and sea-launched cruise missiles (GLCMs and SLCMs) capable of a range in excess of 600 km. The Protocol, however, would have expired on December 31, 1981, by its own terms, and the US made clear at the time SALT II was signed that the Protocol would not be extended beyond that date. The US also made clear to the Soviets during the SALT II negotiations, and subsequently stated publicly following signature of the Treaty, that the SALT II noncircumvention provision would not alter existing patterns of cooperation with our Allies or preclude transfer of systems and weapons technology. Consequently, deployment of these systems, which falls entirely outside the limits of the Treaty, which is a Treaty on strategic offensive arms, does not constitute circumvention. The Soviet assertion is merely an attempt to provide the Treaty with an interpretation which it clearly has never had, in an effort apparently designed to discredit NATO LRINF deployments and US compliance with SALT II.

The US stated publicly that any future limitations on US intermediate-range systems would have to be accompanied by appropriate limitations on comparable Soviet systems. The Pershing II and GLCM are intermediate-range nuclear forces being deployed to counter the threat to US Allies posed by the SS-20 and other Soviet INF systems. It was the growing Soviet INF threat, our desire to reduce (or counter) that threat, and the absence of coverage of INF systems in the SALT II Treaty that led NATO to propose the INF negotiations.

The deployment of these systems is fully consistent with the undertakings of the SALT II Treaty, and thus with the US commitment to refrain from actions which would undercut the Treaty.

### 3. SALT II and the Interim Agreement: Use of Shelters

Soviet Allegation: The Soviet Union asserts that the US use of shelters over Minuteman II and Titan II ICBM launchers raises doubts about US compliance with the SALT I Interim Agreement's verification provisions. The Soviet Union also asserts that, since the converted Minuteman II launchers over which shelters were used are practically indistinguishable from Minuteman III launchers, it may be assumed that these converted silos contain MIRVed Minuteman III ICBMs. The Soviet Union concludes that, if this is the case, it constitutes "direct and glaring noncompliance" with both the Interim Agreement's provisions on verification as well as the SALT II MIRV sublimits.

The Facts: The Soviet assertions are false. Although the US has used shelters over ICBM silos for environmental protection, such use has not impeded Soviet verification by national technical means of US compliance with the provisions of either the SALT I Interim Agreement or the SALT II Treaty, nor were shelters used to conceal conversion of Minuteman II launchers to Minuteman III launchers.

During initial Minuteman construction, as well as during the Minuteman modernization and silo hardening program in the mid-1970s, environmental shelters were used to protect the construction and the workers at the silos from the weather. In the case of the one Titan II silo at which a shelter was used, a cover was used in 1981 to protect it from the weather during repair work on damage due to an accident: it was specifically designed to avoid any impediment to national technical means of verification, was significantly smaller than the dimensions of many covers used by the Soviet Union, and was removed promptly after the need for it ended. The facts concerning the activities being carried out at these launchers were provided and explained in full detail to the Soviet Union several years ago, and were also available in the public domain. Both sides have recognized that certain activities associated with work at launch sites, including permitted modernization, can be performed more easily with protection from the elements. The US made clear to the Soviet Union that the use of these shelters was for environmental protection only and that it was not a deliberate concealment measure.

In response to Soviet expressions of concern regarding the use of shelters at Minuteman silos, the US, in early 1977, decided to modify the use of environmental shelters over Minuteman silos, and reduced their size by almost 50 percent. Subsequently, in 1979, the US discontinued use of environmental shelters over ICBM silos. In a Common Understanding associated with the SALT II Treaty, the US and Soviet Union agreed that no shelters which impede verification by national technical means of compliance with the provisions of the SALT II Treaty should be used over ICBM silo launchers. This demonstrates US willingness to be responsive to Soviet concerns.

It is clear that the only reason the Soviet Union has raised the subject of the US use of shelters is to enable it to charge a US violation of the SALT II MIRV sublimits. The Minuteman II silos were not converted to Minuteman III launchers, and this fact is well known to the Soviet side. Indeed, the Soviets essentially acknowledged this when they agreed to the SALT II data base of 550 Minuteman III launchers, after the use of shelters was discontinued. If any launchers of Minuteman II ICBMs are converted to launchers of Minuteman III ICBMs, as some in Congress have proposed, they would be made distinguishable on the basis of externally observable design features, as required by the provisions of the SALT II Treaty.

4. SALT II: New Types

Soviet Allegation: The Soviet Union asserts that the intention of the US to develop two new types of ICBMs, the MX and the Midgetman, does not meet the "tasks of limiting strategic arms" reflected in existing agreements.

The Facts: The Soviet assertion is false. Under the provisions of the SALT II Treaty, the Parties undertake not to flight-test or deploy more than one new type ICBM per side. The US has informed the Soviet Union that the MX missile will be its one permitted new type ICBM. The SALT II Treaty does not prohibit research and development prior to flight-testing. The Soviet Union has many missiles, including ICBMs, in the research and development stage, but the US has not accused them of violations on this account. The planned new, small US ICBM is in the early research stages only; it is not constrained by SALT II provisions, since it will not be ready for flight-testing until after December 31, 1985, when the SALT II Treaty would have expired. The Soviet SS-X-25 ICBM, in contrast, began flight-testing on February 8, 1983, and, while the evidence is somewhat ambiguous, as the President stated in his report to the Congress, is a probable violation of the Soviet Union's political commitment to observe the SALT II provision limiting each Party to one new type of ICBM, since the Soviet Union has informed us that the SS-X-24 will be its one new type of ICBM. Even if the SS-X-25 were not a new type under SALT II, it would violate the modernization rules for existing types.

US need for a small, single-warhead ICBM was prompted by concerns that the Soviet ICBM force poses a threat to the survivability and, thus, to the deterrent value of the US ICBM force. As a consequence of these concerns, and of substantial Congressional support for this option, the President's Commission on Strategic Forces (the Scowcroft Commission), in April 1983, recommended that the US initiate research immediately on a new small ICBM as a way to enhance stability and solve the problem of the long-term survivability of the US ICBM force. The US decision to initiate such research occurred after the first Soviet flight-test of the SS-X-25 ICBM. We have attempted in START to engage the Soviets in a discussion of ways in which modernization could be channeled so as to improve stability, for instance by developing a single-warhead ICBM, as the Scowcroft Commission has recommended. The Soviets have resisted such discussions.

5. The ABM Treaty

Soviet Allegations: The Soviet Union asserts that, "in clear conflict" with the ABM Treaty, the US:

-- has deployed a radar on Shemya Island built with the use of ABM radar components;

-- has used shelters over ABM interceptor missile silos;

-- has undertaken to develop mobile ABM radars and space-based ABM systems;

-- is testing Minuteman I ICBMs to provide them with ABM capabilities; and

-- is developing multiple warheads for ABM interceptor missiles.

The Facts: These multiple charges are false. They include US actions which are not in conflict with the provisions of the Treaty, as well as false accusations about the kinds of activities the US has undertaken.

-- The function of the radar on Shemya Island in the Aleutians is as a national technical means (NTM) of verification, as its location and orientation make clear. It also has an inherent secondary capability for space tracking and for early warning of strategic ballistic missile attack (BMEW). Like any large phased-array radar, it utilizes technology and some subcomponents which are applicable to phased-array radars generally (including ABM radars), but it is not an ABM radar. Even though its primary purpose is NTM and its location, therefore, is not restricted under the ABM Treaty, we would note with regard to its secondary BMEW role that, in conformity with Treaty limitations on BMEWs, it is located on the periphery of the US and oriented outward. It is on an isolated island approximately 1,500 km from the Alaska mainland and approximately 4,200 km from the northwest portion of the contiguous 48 states, a location that would be inexplicable if the radar were intended for an ABM mission.

-- There were construction shelters over ABM silo launchers under construction in 1973-1974. Since these shelters were over silos acknowledged to be for ABM interceptor missiles, they did not impede Soviet verification by national technical means of compliance with the numerical limitations of the ABM Treaty. In any case, their use was strictly for protection from the environment, hence did not constitute deliberate concealment, and it was discontinued in 1974 when construction was completed. The Soviet Union has been aware of these facts for a number of years. (In 1976, the US deactivated its only ABM system, located at Grand Forks, North Dakota.)

-- The reference to mobile ABM radars may refer to concepts discussed earlier during consideration of various MX ICBM basing modes. Since the US decided to place the MX in Minuteman III silos, such concepts never even reached the research stage, and no development of mobile ABM radars has occurred. Concepts for space-based systems have been discussed, but no development of these concepts has occurred; the Soviet Union itself has for a number of years conducted far more intensive research and development on such systems than has the US. The ABM Treaty contains a provision for further discussion and agreement regarding restrictions on "ABM systems based on other physical principles," should they be "created."

-- Two stages of the Minuteman I ICBM, but not the whole missile, were tested as part of a research program conducted in full conformity with the ABM Treaty. The test missile in question was observably different from Minuteman I, as were its performance characteristics. In any case, the Minuteman I is no longer deployed by the US.

-- The US is not developing ABM interceptors with multiple warheads and has never pursued such a program.

## 6. The ABM Treaty: Pave Paws Radars

Soviet Allegation: The Soviet Union asserts that the US is deploying new, large Pave Paws radars on the Atlantic and Pacific coasts and in the South. It asserts that these radars have characteristics of the sort required for ABM radars and capabilities to provide a base for ABM radar coverage of US territory, and thus are contrary to the obligation in the ABM Treaty not to deploy ABM systems for defense of the territory of the country and not to create the base for such a defense.

The Facts: There is no merit whatsoever in the charge that US deployment of new, large, Pave Paws radars is contrary to the ABM Treaty. The US has two Pave Paws radars, one in California (Beale AFB) and one in Massachusetts (Otis AFB). Two more are being constructed, one each in Georgia (Robbins AFB) and Texas (SW of Goodfellow AFB). All of these radars are for early warning of strategic ballistic missile attack (BMEW). As required by the Treaty, they are located on the periphery of our national territory and are oriented outward. Soviet radars deployed for the same function are far more powerful and capable.

7. ABM Treaty: Strategic Defense Initiative

Soviet Allegation: The Soviet Union asserts that the "large-scale ABM system," which the US announced it plans to develop, "if deployed, would go beyond the bounds" of the ABM Treaty and "would, in essence, work to undercut that Treaty."

The Facts: The Soviet assertion is false. The ABM Treaty does not prohibit research, and both sides have had research programs since the signing of the Treaty; and, indeed, for a number of years, the Soviet effort has been far more intensive than that of the US. The President stated in his March 23, 1983, speech that US activities in this area would be consistent with US treaty obligations. We have assured the Soviet Union both publicly and privately that the Strategic Defense Initiative involves only a research effort which will be carried out within the constraints of the ABM Treaty. This research effort will permit an informed decision in the early 1990s on whether to proceed with full-scale engineering development. If any of the concepts being researched proves feasible, if a viable option results, and if the US then decides to go ahead with engineering design and development, then the pertinent provisions of the ABM Treaty will be fully taken into account. In the longer view, if both the US and the Soviet Union find that technology provides sufficient assurance that defensive capabilities can provide for our own mutual security, it would be advantageous for both sides to enter into a new arms control regime. The ABM Treaty contains a provision for further discussion and agreement regarding restrictions on "ABM systems based on other physical principles," should these be "created."

8. The Standing Consultative Commission (SCC): Confidentiality

Soviet Allegation: The Soviet Union asserts that the US "systematically violates" the agreed principle of confidentiality in discussing questions concerning fulfillment of obligations on the limitation of strategic arms.

The Facts: The Soviet assertion is false. The US continues properly to discharge its obligations and responsibilities under the regulations of the Standing Consultative Commission. The US Government has remained committed to the agreed principle of confidentiality concerning the proceedings of the Commission and has not made public the proceedings of the Commission. The appearance of stories in the press about the SCC and possible subjects under discussion there does not reflect a US Government decision to violate the principle of confidentiality; rather it is merely a reflection of the operation of a free press.

9. Nuclear Testing: TTBT

Soviet Allegation: The Soviet Union asserts that the US, on numerous occasions, has conducted nuclear tests which have exceeded the limit established by the unratified Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty and that the US is continuing to conduct such tests.

The Facts: There is no truth in the Soviet assertion. Since 1976, the year when the threshold provisions of the TTBT and PNET would have become effective, the US has conducted no nuclear tests having yields which exceeded the 150 kiloton threshold of these Treaties.

## 10. Nuclear Testing: LTBT

Soviet Allegation: The Soviet Union asserts that radioactive fallout from US nuclear tests has spread beyond national boundaries, in violation of the 1963 Limited Test Ban Treaty.

The Facts: Both the US and the Soviet Union have encountered some difficulty in totally containing all their underground nuclear tests. The US has had only a few problems in the past with the accidental venting of radioactive debris from underground tests at the Nevada Test Site (NTS). As more experience was gained with the containment of underground tests, venting from US tests became even more rare. Over the past decade, there has been only one incident of local, minor venting at NTS. Until now, the Soviet Union had not raised its concerns about US venting with us since 1976. In contrast, there continue to be numerous Soviet ventings involving dispersal of radioactive materials beyond Soviet borders and numerous US demarches to the Soviet Union protesting this practice.

## 11. Chemical Weapons

Soviet Allegation: The Soviet Union asserts that the US has avoided CW bilaterals, obstructed Conference on Disarmament (CD) negotiations, and refused to respond to the proposal for a European CW free-zone, all to enable the US to produce binary chemical agents and increase its CW stockpile "twofold."

The Facts: This Soviet assertion does not charge the US with noncompliance, perhaps because the US, in fact, is abiding by all obligations in this regard. The US has produced no chemical weapons for 15 years and the proposed US binary chemical weapons program represents merely a belated attempt to be prepared to counter the Soviet CW capability so that we can deter Soviet use of these weapons.

The CW bilaterals lapsed in 1980, due to Soviet intransigence on verification issues; US concern regarding the verification issue and insistence that it be addressed has been amply justified by evidence of illegal Soviet use of CW weapons since the late 1970s. Since then the US has consistently left open the possibility of their resumption, pending Soviet demonstration that genuine progress on verification and other outstanding issues is possible.

The US is widely recognized in the CD and elsewhere as making vigorous and constructive efforts to promote progress in the CD negotiations, and recently tabled a US draft treaty there. The US is committed to the elimination of all CW and to the conclusion of a complete, effective, and verifiable global CW ban. This commitment and US efforts to promote genuine progress toward such a ban in the CD negotiations are widely recognized and supported by our Allies, the other members of the CD, and the international community.

The US views the Soviet proposal for a European CW-free zone as a possible indication of renewed Soviet interest in concluding the global CW ban, which we are convinced is the only truly effective way to eliminate the worldwide CW threat. US CW modernization efforts are aimed at assuring US and Allied security in the interim until a global CW ban is concluded, and as an important incentive to the Soviet Union to undertake negotiations for such a comprehensive global ban. These efforts will not increase US stocks "twofold," as the Soviet Union has charged, but instead will give us a smaller and safer stockpile in the event we should ever have to retaliate against a Soviet chemical attack. It is the Soviet Union which must take concrete steps to convince the world that it is truly serious about CW arms control by working with the US and the CD to develop effective and mutually acceptable approaches to banning CW worldwide. In this regard, Soviet involvement in the use of toxins and chemical warfare agents in Laos, Kampuchea, and Afghanistan, does not inspire confidence that expressed Soviet interest in CW arms control is genuine or sincere.

## 12. Helsinki Final Act

Soviet Allegation: The Soviet Union asserts that, while the US, under the Helsinki Final Act, "assumed an obligation to participate in efforts aimed at reducing military confrontation and at facilitating disarmament," it has "in practice, in recent years . . . undertaken a whole series of actions which led to a sharp increase in the war danger in Europe. This, above all, concerns the deployment of new American first-strike nuclear missiles there, the creation of conditions for a substantial build-up of US forces in Europe, and the continued equipping of those forces with weapons of mass destruction -- nuclear, chemical and others."

The Facts: The Soviet Union is falsely asserting that we have engaged in behavior of which it itself is guilty. The Soviet Union first initiated the modernization of intermediate-range nuclear forces in Europe in 1977 by beginning its sustained SS-20 missile deployments, and it, unlike the US, has greatly increased the number of nuclear warheads maintained there.

The Soviet Union apparently is referring to the deployment of US Pershing II and ground-launched cruise missiles which began late last year. (The 1979 NATO dual-track decision recognized the requirement to redress the imbalance in overall nuclear forces highlighted by the growing Soviet force of triple-warhead SS-20 missiles, either through deployment of US LRINF missiles or through a concrete arms control result.) The US sought during the INF negotiations which began in 1981 to reduce substantially, or, preferably, to eliminate all land-based, longer-range INF missiles on a global basis. Pending unilateral Soviet reductions in LRINF deployments or a negotiated solution, NATO counter-deployments strengthen deterrence and hence reduce rather than increase the danger of war. The Soviet Union broke off the INF negotiations last year and has refused to return to Geneva.

The NATO force modernization programs envisioned for the European theater are in response to an unprecedented buildup and modernization of Soviet conventional and nuclear forces. The deployment of US Pershing IIs and GLCMs is in particular a response to that unprecedented buildup of which the most obvious example is the deployment of Soviet SS-20 missiles. The Soviet Union began deploying SS-20s in 1977 and to date has deployed 378 missiles (over 100 missiles during the course of the INF negotiations) with over 1,100 warheads, or almost double the potential NATO deployment total of 572.

Moreover, the Soviet charge obviously lacks credibility in light of the large reductions in the total NATO nuclear stockpile in Europe. The US will withdraw 1,400 nuclear warheads over the next five years, in addition to the 1,000 warheads already withdrawn as a result of NATO's 1979 decision. Additionally, for each Pershing II and GLCM which is deployed to Europe, the US will withdraw one nuclear warhead from its European stockpile.

The United States limited chemical weapons retaliatory capability in Europe is intended to deter the use of the extensive arsenal of Soviet chemical weapons until an effective and verifiable global ban on all chemical weapons can be achieved.

## 13. Helsinki Final Act: Exercise

Soviet Allegation: The Soviet Union asserts that the US every year stages "enormous" exercises, and that "mere notifications of those exercises without reducing their scope do not eliminate the dangerous character of such actions."

The Facts: The United States military activities are completely in accordance with the provisions of the Final Act.

We and our Allies notify all exercises which exceed the threshold of 25,000 troops established by the Final Act, and often notify smaller-scale military maneuvers, as a voluntary effort to strengthen mutual confidence.

We regret that the Soviet Union has not always reciprocated. Not only have the Warsaw Pact nations generally declined to provide voluntary notification of any exercise which did not reach the 25,000 troop threshold, as the President's Report to Congress on Soviet Noncompliance indicated, but the Soviet Union, in a clear cut failure to comply with the Final Act, did not adequately notify the exercise Zapad 81, which involved some 100,000 troops.

## Public Awareness of Soviet Arms Control Violations

QUESTION: What implications will it have for our national security if we fail to convince the American people and the people of the West that the Soviet Union has systematically committed these very serious and militarily significant violations of its arms control undertakings as reported by the President?

ANSWER: First, let met state that I believe that the American people do believe that the Soviet Union has violated arms control agreements.

To answer your question, however, let me state that it is obviously dangerous for the American people to believe that the Soviet Union is complying with arms control agreements when they are not. This would encourage the proliferation of irresponsible approaches to arms control and agreement proposals that cannot be verified. If there is one thing we have learned from the compliance exercise, it is the difficulty in verifying agreements.

## Soviet Violations of the LTBT and TTBT

QUESTION: There is a strong effort currrently underway to secure ratification of the Threshold Test Ban Treaty. The Heritage Foundation yesterday released a paper entitled "A Flawed Test Ban Treaty," by Brian Green. In this paper, the author states that "After an initial announcement by the Johnson Administration of a 'technical violation' of the [1963 Limited Test Ban] Treaty in 1964, the U.S. government neither insisted on Soviet compliance nor made any further announcement of additional LTBT violations. The Carter Administration refused to release any information concerning the Soviet venting of radioactive nuclear debris across its borders and even denied that such events violated the LTBT: 'There have been venting cases in which radioactive nucleii have been detected outside the Soviet Union...again these are not clear violations. They are matters of stretching the limits of the agreement.'" Does the Reagan Administration share the Carter Administration's view of this issue?

ANSWER: The Reagan Administration does not share the Carter Administration's view and is currently studying this compliance issue.

QUESTION: How many incidents of Soviet venting of radioactive debris which have crossed the Soviet border have been detected since the incident cited by the Johnson Administration in 1964?

ANSWER: Since the LTBT entered into force in 1963, on [deleted] occasions the United States has detected outside the borders of the Soviet Union, airborne radioactive debris unambiguously associated with Soviet underground nuclear tests. In addition, there have been [deleted] probable ventings of this kind, and at least (d) more were possible sources of radioactive debris collected outside the borders of the USSR.

QUESTION: Please explain the Department's views on the potential impact of Soviet violations of the Threshold Test Ban Treaty on their new ICBM, SLBM, ABM, and cruise missile work.

ANSWER: Soviet violations of the TTBT could allow the Soviet Union to develop new, modernized warheads with higher yields than they could have done if they were in compliance with the TTBT. [Deleted.]

## Significance of Long Lead Times in the R&D Process

QUESTION: Due to the long lead times involved in the development and manufacture of sophisticated strategic systems, it would appear that a party to an arms control agreement who was determined to violate the agreement could be certain of a substantial head start if the other party only learned of the violation when deployment was imminent or was already underway. Given the apparent Soviet disposition to violate arms control agreements when it suit their purposes, what impact does this lead time factor have on the stability of the arms control process as a whole, particularly in light of the significant military potential of new technologies now in the research and development stage?
ANSWER: The basic problem to which you refer is that of inadequate intelligence about Soviet military developments. This is a problem that would exist with, or without, arms control agreements. However, if the Soviets cheat, arms control agreements could constrain us unilaterally from pursuing certain technological options. The process of determining a violation is very complex and time consuming, which makes it difficult to respond to violations in a timely manner.

QUESTION: Since advanced technologies now in research and development hold the promise of dramatic strategic military advantage to the side first to integrate them into its deployed forces, do you believe the Soviet Union is increasingly tempted to "breakout" of current arms control limits?
ANSWER: President Reagan in his report to Congress noted the "expanding pattern" of Soviet violations of existing arms control treaties. It is clear that technological progress in ballistic missile defense, for example, creates incentives for Soviet breakout from the ABM Treaty. The Soviets have had an enormous ABM R&D program underway for more than a decade. They moved from a position of clear inferiority in the technology to one where they are currently better able to deploy ABM defenses than we are. Defending against enemy attack is a vital part of Soviet military doctrine, hence creating an incentive for treaty violation.

QUESTION: Given the lead time issue, current Soviet violations of existing arms control agreements, and our lack of success in impressing the American people with the seriousness and significance of these Soviet violations, do you believe the Soviet Union will feel encouraged to engage in more widespread and productive violations of these agreements and will be less willing to join in new agreements which are both fair and verifiable?
ANSWER: As President Reagan has determined, there is an expanding pattern of Soviet violations. In the wake of the disclosure of such violations there has been a significant cut in the U.S. defense budget forcing some cuts in programs (e.g., MARV) that are necessary to react to such violations. This must encourage future Soviet violations.

## Impact of Defense Cuts

QUESTION: What kind of message do you believe we are sending the Soviet leaders by reducing our defense efforts just after we announce their violations of existing arms control agreements?

ANSWER: We are clearly sending the Soviet Union the wrong message. The deeper cuts go, the worse the message will be.

# PREPARED STATEMENT OF ADMIRAL ELMO ZUMWALT

## FORMER CHIEF OF NAVAL OPERATIONS, U.S. NAVY

### 1) Summary

The President has informed the Congress of a number of Soviet arms control treaty violations. Each of these violations have important military significance. Collectively they have contributed to a major shift in the strategic nuclear balance from one favorable to the U. S. into one unfavorable.

The demonstrated capability of the Soviet Union to cheat has been enhanced by the disinclination of the United States to take corrective action. The collective effect is likely to be one in which Soviet violations accelerate in the future.

### 2) Violations Reported By The President

After over a year of careful study by the National Security Council, President Reagan finally reported to Congress on January 23, 1984, that the Soviet Union had violated or probably violated six arms control treaties in seven different ways.

President Reagan stated that five of these Soviet arms control treaty violations, including two related to the SALT II Treaty, were clearcut, unqualified and unequivocal Soviet violations.

The President's Report to the Congress on Soviet Noncompliance With Arms Control Agreements stated succintly:

"The U.S. Government has determined that the Soviet Union is violating

(1) The Geneva Protocol on Chemical Weapons.

(2) The Biological Weapons Convention.

(3) The Helsinki Final Act,

and two provisions of SALT II.

(4) Telemetry encryption,

(5) and a rule concerning ICBM modernization.

In addition, we have determined that the Soviet Union has

(6) almost certainly violated the (SALT I) ABM Treaty,

(7) probably violated the SALT II limit on new types,

(8) probably violated the SS-16 deployment prohibition of SALT II,

(9) and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty."

To repeat, five of these Soviet violations are conclusive and two of these conclusive violations related to SALT II. A total of four of the violations reported related to SALT II.

# NONDEPARTMENTAL WITNESSES

## FORMER CHIEF OF NAVAL OPERATIONS, U.S. NAVY

### STATEMENT OF ADM. ELMO ZUMWALT, FORMER CHIEF OF NAVAL OPERATIONS

### INTRODUCTION OF WITNESS

Senator McCLURE. I would like to now welcome as our next witness, Admiral Zumwalt, U.S. Navy, retired, and a former Chief of Naval Operations between 1970 and 1974. Admiral Zumwalt is the author of the well-known book about his career in naval service published in 1976 entitled, "On Watch." Admiral Zumwalt's book contained an excellent analysis of SALT I and SALT II negotiations, and the dangers of détente.

Admiral Zumwalt, it is a pleasure to have you before the committee today, and to again welcome you as you give the Nation the advice of your judgment gleaned from long years of service to your country.

Admiral ZUMWALT. Thank you very much, Mr. Chairman. It is a pleasure for me to be here to talk about a subject to which I have devoted a great deal of time, and professional attention and concern, going back to the time when I served as Director of Arms Control and participated in the negotiations of the Test Ban Treaty, and served the Executive Committee of the National Security Council during the Cuban Missile Crisis to which you have referred.

I had the thrill, when I was a young officer, of spending a day with Gen. George Marshall, who was in between his service as Secretary of State and Secretary of Defense. I can recall asking him why it was that my Government was telling me when I was a high school student in the late 1930's that in the event of war, we would prevent the invasion of the Philippines by Japan. He said, "Young man, you have to understand the difference between a government's declaratory policy and reality." He said it was our declared policy that in the event of a war, we would prevent the invasion of the Philippines, but the reality was that we had absolutely no military capability to do so, and our plans always called for the surrender of the Philippines, and then to fight our way back if we could.

In high office, I have come to understand in spades the nature of that discorollation, and particularly in the arms control field. One of the things that has been of great pleasure to me as a Democrat has been that this President has moved declaratory policy closer to reality than any of his predecessors in the arms control and the national security field in general. I think that the work of this committee is further helping to bring the corollation more closely together.

### MILITARY SIGNIFICANCE OF TREATY VIOLATIONS

The summary of my statement appears in the first paragraph, that the President has informed the Congress of a number of Soviet arms control treaty violations. Each of these violations has important military significance. Collectively, they have contributed to a major shift in the strategic nuclear balance from one favorable to the United States to one that is unfavorable. The demonstrated capability of the Soviet Union to cheat has been enhanced by the disinclination of the United States to take corrective action. The collective effect is likely to be one in which Soviet violations accelerate in the future.

### SOVIET ARMS CONTROL VIOLATIONS

I then discuss the violations that the President has reported, and list two others which I think Mr. Perle and you discussed, and I don't think that it is necessary for me to highlight those again. So I will go right to the military significance of the violations in the President's report.

These Soviet arms control violations each have important military significance. With regard to the first two items in the President's report, he revealed for the first time that the Soviets have a military program for offensive weapons and chemical and biological weapons.

### SOVIET BIOLOGICAL WARFARE

The Soviet program for offensive biological warfare is the newest and probably the most dangerous new Soviet program in violation of an arms control treaty. This is because the United States has no biological warfare offensive deterrent, and essentially no biological warfare defensive capability. Hence, our main deterrent to the Soviet biological and chemical warfare capability is our nuclear offensive capability.

By having no deterrent in kind, the United States is forced to deter Soviet BW and CW with our nuclear capability which is already gravely inferior to the Soviet's. Thus, the Soviets have succeeded either in lowering the nuclear threshold, which increases the likelihood and danger of nuclear war, or alternatively of making it possible for the Soviet Union to conduct or threaten strategic biological warfare, while the United States is unable to respond or threaten to respond with either biological or nuclear weapons, having none of the one and inferiority in the latter. This is a very serious consequence of the Soviet BW–CW arms control treaty violations. It is potentially the most significant of all the violations.

### VIOLATION OF HELSINKI FINAL ACT

Third, the violation of the Helsinki Final Act has military significance because future violations of this sort could enable the Warsaw Pact completely to surprise NATO in a quick, all-out attack. Thus, here again, we have a Soviet arms control violation which increases the danger of war. Moreover, the Soviet Union has already demonstrated, in its exercise Zapad-81 of September of

1981, its capability to use this type of violation in a manner which contributed significantly to a great military political victory, forcing the Polish Army to move instead to smash Solidarity lest the Soviet Army intervene.

Incidentally, this is an interesting example of the use by the Soviet Union of arms control agreements in the reverse, that is, to make war or to threaten to make war. Their failure to disclose the full motives for the exercise led to the uncertainty in the minds of the Polish leaders which led them to conclude that they had to move. It was their measuring of that against the Helsinki Agreement that increased their apprehension.

### SOVIET ENCRYPTION OF TELEMETRY SIGNALS

Fourth, the Soviet encryption of their telemetry signals on their new ICBM's has already had and could have further serious military consequences. This encryption could allow the Soviets significantly to increase the throw weight on their new ICBM's, and as a result to increase the size and number of their ICBM warheads.

For example, Soviet encryption of the telemetry on their large SS-X-24 ICBM, which is the size of the MX, and may be larger, could allow the Soviets to deploy 12 to 14 warheads on each SS-X-24 instead of the 10 allowed by SALT II. Thus, if the Soviet planned to deploy 100 silo-based 24's and 100 rail-mobile 24, a not unreasonable number, they could increase the number of promptly fired illegal warheads by about 800. This is without reference to the missiles which the Soviets have hidden near certain launchers which have a refire capability.

Their encryption has already made it much more difficult to assess their new capabilities and thus to conclude beyond all doubt that the U.S.S.R. cheated, except for the cheating per se involved in the encryption, which is quite clear cut.

### SOVIET VIOLATIONS OF SALT II

Fifth, Soviet violations of the SALT II rule concerning ICBM modernization allows the Soviets to deploy multiple independently targetable reentry vehicles—MIRV's—on their SS-X-25 ICBM. I estimate that the Soviet could deploy at least three warheads illegally on each 25. If the Soviets deploy 200 25's from existing silos containing single-warhead missiles, and 100 road-mobile 25's, the Soviets could deploy 600 warheads on their 25 force, all of which would be illegal. Since the 25 and the road-mobile configuration is highly survivable, the Soviets could have, with reasonable estimates for the SS-X-24 illegal warheads, 600 highly survivable illegal warheads.

### SOVIET DEVELOPMENT OF SS-X-25

Sixth, if the Soviets have not violated the SALT II modernization rule, it is because, as the Secretary of Defense has reported, they have developed an entirely illegal type of ICBM, the SS-X-25, for silo and mobile deployment with, as I said, probably 600 illegal warheads. This is a highly significant number of illegal warheads regardless of whether the provision violated is the one new type of

ICBM, or the modernization of an ICBM. It is clear that they have cheated.

### SOVIET DEVELOPMENT OF ABM BATTLE MANAGEMENT RADAR

Seventh, the Soviet violation of the SALT I ABM Treaty by building a huge, new ABM battle management radar deep in Siberia has profound military significance. This radar is reported to be located near over 200 ICBM silos in which MIRVed missiles are deployed. It closes the last gap in the Soviet ballistic missile early warning system. Further, by my rough calculation, this radar is in a position to provide battle management coverage to over 20 percent of the Soviet ICBM warheads.

This radar would, of course, have to be connected to small radars and interceptor missiles, and these are in mass production for deployment. If the Soviets can protect over 20 percent of their ICBM warheads from U.S. retaliation, this fact would significantly erode U.S. deterrence capability. The Soviets would have a significantly less vulnerable first-strike ICBM force.

The United States has completely deactivated its one allowed ABM site, while the Soviet Union has been engaged in a series of violations of the ABM Treaty. Overall, the U.S.S.R. has overwhelmingly reduced the ABM advantage which the United States had at the time of the signing of the 1972 ABM Treaty.

### SOVIET MISSILE DEPLOYMENT AT PLESETSK TEST RANGE

Eighth, the Soviets have probably deployed as many as 200 SS-16 mobile ICBM's at their Plesetsk test range. This missile carries a single warhead so that this illegal deployment consists of 200 illegal warheads, a significant number. Moreover, they are mounted on highly survivable mobile launchers, which makes them a secure second-strike reserve force.

### THRESHOLD TEST BAN TREATY

Ninth and finally, the Soviets are likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty. The Soviets have probably conducted at least four nuclear warhead tests with yields of from 300 to 600 kilotons, from double to four times the legal yield. Since 1978 there have been over 15 Soviet nuclear tests of over 150 kilotons. This violation has great significance, because it has allowed the Soviets to test their new generation of ICBM warhead at almost full-scale yield.

These violations, therefore, have allowed the Soviets greatly to increase the lethality of their ICBM counterforce capability. The Soviets have used their violations and their new illegal warheads to achieve their huge counterforce advantage over the United States. Thus, this is of paramount military significance.

I then summarize the military significance of those items. Then with regard to strategic implications, I point out that their cheating has assisted the Soviets in the achievement of overall strategic superiority over the United States in both offensive and defensive capabilities. They have an overwhelming strategic offensive superiority over us, a true first strike potential so long feared by American strategists. They are 10 years ahead of the United States in strategic offensive capability.

### SOVIET FIRST-STRIKE CAPABILITY

Their strategic first strike capability grows more ominous each year, and its usefulness for Soviet political blackmail and intimidation is even more dangerously apparent. It is already deeply affecting the whole world politics because of what they call an irrevocable shift in the correlation of forces which has made all nations of the world even more willing to acquiesce in Soviet provocations.

### SOVIET ANTIBALLISTIC CAPABILITY

Recent revelations suggest that the Soviet Union is also 10 years ahead of us in antiballistic missile capabilities. They may, in just another year's time, be able to defend over one-third of all their population, and offensive forces from the U.S. retaliatory deterrent. The Soviets may also at any time launch the first last antiballistic missile battle station into space where they have long been superior in antisatellite capabilities.

Soviet strategic superiority results in part from their SALT and other arms control violations together with our observance of arms control constraints, and our unwillingness to exercise our own right to withdraw from such agreements on the basis of supreme national interest when Soviet cheating is detected.

These Soviet offensive and defensive advantages threaten the credibility of the U.S. retaliatory deterrent, which has preserved the world's peace since World War II. If the Soviets can threaten a devastating first strike, and also threaten to defend against a significant part of the U.S. retaliatory response, deterrence is gravely jeopardized.

The United States is not only vulnerable to Soviet first strike, but even more significantly, because of this vulnerability, we are increasingly subject to Soviet attempts at intimidation through nuclear blackmail.

### POLITICAL IMPLICATIONS OF SOVIET TREATY VIOLATIONS

With regard to political implications, U.S. compliance with arms control agreements, despite Soviet violations, has led to a process in which the Soviet Union is able to add to the advantage it traditionally had—outspending the United States for strategic nuclear systems—the additional advantage of also being able unilaterally to advance in areas in which the United States is unilaterally constrained.

This in turn has contributed to a general weakening of the confidence that the free world nations have in the United States, and a weakening in our alliances. It has made more pronounced the typical peace time disinclination of democracies to face up to totalitarian threats. It has produced a significant subset of our Federal bureaucracies dedicated to the mission of working against U.S. efforts to match its adversary in the very same way that a similar subset led Britain to look the other way while Hitler was violating the Versailles Treaty.

My conclusion is that not only must arms control agreements be effectively verified, but they must be verifiable on the basis of publicly releasable information. For example, if one looks at the factsheet released by the Reagan administration on Soviet arms control violations, the most striking thing about it is that it contains very few of the facts that are included in the secret report to the Congress.

A great deal of information now available on Soviet arms control violations, much more than is contained in the secret report is available in the Pentagon. Some of this information could not be publicly disclosed without serious harm to national security. Some could be declassified, but there is a very great reluctance on the part of the intelligence community to do this. The fact that intelligence information must be declassified to support charges of noncompliance is a serious deterrent to informing the public. Arms control and effective public diplomacy campaigns is perhaps the only weapon the United States has to deter Soviet arms control violations. Absent a penalty for violations, the Soviet Union has every incentive to violate arms control agreements. If classification considerations play a major role, then the limited deterrent we have to Soviet violations will further erode.

There are both inside and outside of the U.S. Government those who seem to believe that the Soviet violations make new arms control agreements even more important. Concerning the Chemical and Biological Weapons Treaty, Under Secretary of State Lawrence Eagleburger told the Senate Foreign Relations Committee, "We have all heard the charges that the continuing Soviet defiance of international norms through the use of chemical and toxin weapons proves that arms control cannot work." "Mr. Chairman," he says, "we would contend that the Soviet actions lead to a different conclusion—real, equitable and fully verifiable arms control is an absolute necessity. It is not that arms control is pointless, it is that we have to do a better job of it."

## VERIFICATION PROVISIONS

That "better job" might include the negotiation of verification provisions that can provide proof that is publicly releasable. The Soviets strongly resist such provisions for the simple reason that they are violating and intend to violate existing and proposed arms control agreements.

## SOVIET VERIFICATION PROPOSAL

Let us look at the Soviet proposal for the verification of an agreement on chemical weapons. Shortly after Yuri Andropov's death, the Soviet Ambassador to the Geneva Conference on Disarmament, Victor Issraelyan, offered a "new" proposal for the "comprehensive prohibition of chemical weapons." The Western press hailed that proposal—which it perceived as making a significant concession in regard to "onsite inspections"—as a major breakthrough in the negotiations to eliminate chemical weapons from the face of the earth. Mr. Chernenko was credited with taking a positive step forward in arms control.

But is this the case? Let us examine what the Soviets really proposed.

Two elements are crucial to any meaningful effort to eliminate chemical weapons as instruments of war. First is the thorough identification of all existing chemical weapon stocks and the facilities which manufacture those weapons. Second is the accurate verification that all such identified stocks are destroyed and the facilities producing them have terminated operations.

How then do the Soviets suggest that we accomplish the above? First, after conceding that neither side has the slightest basis on which to trust the other, Ambassador Issraelyan proposed that both sides individually indentify their own existing stocks. The assumption, therefore, is that both sides will be obligated by some nebulous international code of honor, such as the one they have observed in the past, to faithfully report all existing stocks.

But Mr. Issraelyan is not as idealistic as such a proposal would suggest. He recognizes that agreement by Washington to such a term would be a unilateral U.S. commitment to the elimination of chemical weapons—or what has come to be known as arms control Soviet style. The superficiality of the Soviet proposal is further evidenced by the fact that it makes no mention of the identification of existing facilities that manufacture the chemical weapons.

However, completely ignoring the fact that the Soviet proposal in no way guarantees that all existing stocks and manufacturing facilities are identifed at the outset, the press praises the "concession" made by the Soviets on the issue of "onsite inspections" to verify destruction of the weapons.

## DESTRUCTION OF CHEMICAL WARFARE STOCKS

Regarding the issue of destruction, the U.S. position has long been one of insistence on a continuous inspection of facilities to ensure that the destruction of stocks does in fact take place. The Soviet position, on the other hand, has been one of only an occasional presence by international monitoring personnel to ensure the destruction occurs.

The "major breakthrough" focused upon by the press is Mr. Isralyan's statement that the Soviet Union was "declaring today its readiness in principle to consider in a positive manner the proposal on permanent presence at the special facilities on stock destruction."

In other words, the Soviets suggest that they might consider in the future the possibility of thinking positively about such a realistic verification procedure only for the destruction of those stocks they are willing to declare. And, once again, the Soviets are silent on the chemical weapons manufacturing facilities—making no provision for verifying that production of the weapons is terminated at the same time destruction commences. This is almost identical to the procedure that came to pass in the case of biological war.

## SOVIET POSITION ON DESTRUCTION OF CHEMICAL STOCKS

What then have the Soviets agreed to?

First, they have agreed to destroy all existing chemical weapons that they admit to having in their possession. Second, they have indicated a willingness to consider in a positive way the continuous presence of international inspectors to monitor the destruction of those stocks that Moscow has declared.

What have the Soviets not agreed to? They have not agreed to concessions that would guarantee that a full disclosure of all existing stocks and manufacturing facilities have been made by both sides. They have not agreed to concessions for permanent onsite inspections to ensure destruction of all stocks—but only to "consider" such inspections of manufacturing facilities to ensure production of the weapons has been terminated. All in all, the Soviets' proposal hardly correlates with the much more realistic U.S. position, and that is before they start to work in the traditional ambiguities on which they can begin their violation process.

While offering no concrete terms for the realistic control of chemical warfare weapons, the Soviets clamor "Let's make a deal!" Moscow, in doing so, seeks to commit the United States now to the destruction of all its chemical weapons arsenals without committing itself to the same end. By making a deal with Moscow on such terms, the United States would be taking a bad gamble, one which is not justified by past Soviet treaty violations. At risk would be the lives of thousands of American fighting men who in the final analysis would be the ones subject to the unilateral employment of these deadly weapons by the Soviet Union, just as are the fighting men of Iraq, Afghanistan, Laos, and Cambodia. We owe our fighting men a better chance of survivial on the battlefield.

## SOVIET ARMS CONTROL VIOLATIONS

I applaud President Reagan's decision to inform Congress and the American people that the Soviet Union is violating important arms control agreements. However, we should not ignore the fact that there are more violations than the Reagan administration is willing to admit, and that even the Reagan administration appears to be imposing standards of proof that can rarely be met with national technical means of verification.

For example, twice during 1983, President Reagan directly compared the charging noncompliance with the acquisition of the type of evidence that can be used in a court of law. Only through the negotiation of effective provisions for cooperative verification can we hope to meet such a standard.

We can no longer assume that the mere risk of detection is sufficient to deter. We know that the Soviets have violated agreements and have done things that they were certain would eventually be detected. We must have evidence that is both clear and convincing, and which can be released to the world if we are to have any hope of imposing a significant penalty for Soviet noncompliance.

## RECOMMENDATIONS

In my recommendations, I recommend that to enlarge its data base, this committee make every effort:

One, to obtain the conclusions of the President's General Advisory Committee concerning Soviet cheating;

Two, obtain from the executive branch information concerning all known or suspected violations of arms control treaties not yet reported to this committee, of which I estimate there are at least two dozen.

I recommend that the State Department be urged to question the Soviet agreement much more sharply than it has in the past and at the highest levels concerning its violations and required to report the results to the Congress.

I recommend that hearings be held concerning the discrepancies between what the executive branch has assured the Congress would be required of the U.S.S.R. under specific arms control agreements when they were being considered by the Congress and what the Soviet Union has been permitted subsequently to accomplish without successful challenge during the tenure of those agreements.

I recommend that every effort be made to publicize the atrocious misconduct of the Soviet Union in violations it has committed.

I recommend that Congress insist that future arms control treaties and agreements have verification features that provide publicly releasable proof of violations.

## ACTIONS AGAINST ARMS CONTROL VIOLATIONS

In order to demonstrate to the Soviet leaders that there are penalties to them for arms control violations and to motivate them to cease in the future, I recommend that actions be taken as follows—in sequence as Soviet violations continue:

First, initiate programs which are allowed under arms control agreements, making it clear that such actions are in response to Soviet violations. Such action would include: development of defensive biological warfare systems; development of offensive and defensive chemical warfare systems; increased R&D in ABM systems; reactivation of a modernized single ABM site; and so forth.

Second, initiate programs to match specific Soviet violations—that is, encryption of the telemetering of missile tests; development of battle-management ABM radars; development of a second new ICBM type; and so on.

Third, announce that the time is fast approaching when our supreme national interests will require that the United States withdraw from the treaties and political commitments which prevent us from redressing the consequences of Soviet cheating.

Finally, Mr. Chairman, it seems to me quite clear that nothing that the Congress does to follow recommendations of this type will be effective if the Congress continues as it has in the past to reduce strategic programs submitted by the President.

[The prepared statement of Admiral Zumwalt follows:]

# PREPARED STATEMENT OF ADMIRAL ELMO ZUMWALT

## FORMER CHIEF OF NAVAL OPERATIONS, U.S. NAVY

### 1) Summary

The President has informed the Congress of a number of Soviet arms control treaty violations. Each of these violations have important military significance. Collectively they have contributed to a major shift in the strategic nuclear balance from one favorable to the U. S. into one unfavorable.

The demonstrated capability of the Soviet Union to cheat has been enhanced by the disinclination of the United States to take corrective action. The collective effect is likely to be one in which Soviet violations accelerate in the future.

### 2) Violations Reported By The President

After over a year of careful study by the National Security Council, President Reagan finally reported to Congress on January 23, 1984, that the Soviet Union had violated or probably violated six arms control treaties in seven different ways.

President Reagan stated that five of these Soviet arms control treaty violations, including two related to the SALT II Treaty, were clearcut, unqualified and unequivocal Soviet violations.

The President's Report to the Congress on Soviet Noncompliance With Arms Control Agreements stated succintly:

"The U.S. Government has determined that the Soviet Union is violating

(1) The Geneva Protocol on Chemical Weapons.
(2) The Biological Weapons Convention.
(3) The Helsinki Final Act,

and two provisions of SALT II.

(4) Telemetry encryption,
(5) and a rule concerning ICBM modernization.

In addition, we have determined that the Soviet Union has

(6) almost certainly violated the (SALT I) ABM Treaty,
(7) probably violated the SALT II limit on new types,
(8) probably violated the SS-16 deployment prohibition of SALT II,
(9) and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty."

To repeat, five of these Soviet violations are conclusive and two of these conclusive violations related to SALT II. A total of four of the violations reported related to SALT II.

But the Defense Department has strengthened the President's conclusion on one particularly important SALT II violation. The Defense Department has recently stated in its official reports to Congress on the Fiscal Year 1985 Defense Budget the following:

> "The Soviets currently have two new types of land-based ICBM's under advanced stages of development."

thereby making this another unqualified violation of SALT II, for a total of three unqualified Soviet SALT II violations.

3) Additional Violations

At least two additional serious arms control violations have been authoritatively confirmed. First, the Soviet's deployed their heavy SS-19 ICBM to replace the SS-11 light ICBM, in violation of Article II of the SALT I Interim Agreement which prohibits heavy ICBM's from replacing light ICBM's. Former Defense Secretary Melvin Laird charged Soviet SS-19 deployment as a Soviet "violation" of SALT I in 1974. Former Secretary of State Henry Kissinger declared Soviet SS-19 deployment "sharp practice" in 1979. The Senate Intelligence Committee stated in 1979 that Soviet SS-19 deployment at least "circumvented" SALT I.

Second, the Soviets tested their SAM-5 air defense missile and radar over 50 times in an ABM mode. This is prohibited by the SALT I ABM Treaty. Dr. Henry Kissinger explicitly charged this to be a Soviet Salt I "violation" in 1982.

Based on my review of existing intelligence, I have confidence that in the future the White House will be reporting many additional Soviet arms control violations.

4) Military Significance of the Violations in the President's Report

These Soviet arms control violations each have important military significance.

With regard to the first two items in the President's Report, the President's Report revealed for the very first time that the Soviets have a military program for offensive operations in Chemical and Biological Weapons. The Soviet program for offensive Biological Warfare is the newest and probably the most dangerous new Soviet program in violation of an arms control treaty. This is because the U.S. has no Biological Warfare offensive deterrent, and essentially no Biological Warfare defensive capability. Hence, our main deterrent to the Soviet Biological and Chemical Warfare capability is our nuclear offensive capability. By having no deterrent in kind, the U.S. is forced to deter Soviet BW and CW with our nuclear capability, which is already also gravely inferior to the Soviets. Thus, the Soviets have succeeded either in lowering the nuclear threshold, which increases the likelihood and danger of nuclear warfare, or alternatively, of making it possible for the Soviet Union to conduct or threaten strategic biological warfare while the U.S. is unable to respond or threaten to respond with either biological or nuclear weapons. This is a very serious consequence of the Soviet BW/CW arms control treaty violations. It is potentially the most significant of all the violations.

Third, the Soviet violation of the Helsinki Final Act has military significance because future violations of this sort could enable the Warsaw Pact completely to surprise NATO in a quick allout attack. Thus, here again, we have a Soviet arms control violation which increases the danger of war. Moreover, the Soviet Union has already demonstrated, in its exercise Zapad-81, its capability to use this type of violation in a manner which contributed significantly to a great military/political victory, forcing the Polish Army to smash Solidarity lest the Soviet Army intervene.

Fourth, the Soviet encryption of their telemetry signals on their new ICBM's has already had and could have further serious military consequences. This encryption could allow the Soviets significantly to increase the throw weight on their new ICBM's, and as a result to increase the size and number of their ICBM warheads. For example, Soviet encryption of the telemetry on their large SS-X-24 ICBM, which is the size of the MX, and may be larger, could allow the Soviets to deploy 12 to 14 warheads on each SS-X-24, instead of the 10 allowed by SALT II. Thus, if the Soviets planned to deploy 100 silo-based SS-X-24's and 100 rail-mobile SS-X-24's, a not unreasonable number, they could increase the number of promptly fired illegal warheads by about 800. (This is without reference to the missiles which the Soviets have hidden near their launchers which have a refire capability.)

Their encryption has already made it much more difficult to assess their new capabilities and thus to conclude beyond all doubt that the USSR has cheated.

Fifth, Soviet violations of the SALT II rule concerning ICBM modernization allows the Soviets to deploy Multiple Independently-targetable Reentry Vehicles -- MIRVs -- on their new SS-X-25 ICBM. I estimate that the Soviets could deploy at least three warheads illegally on each SS-X-25. If the Soviets deploy 200 SS-X-25's in existing silos containing single warhead missiles and 100 road-mobile SS-X-25's, the Soviets could deploy 600 warheads on their SS-X-25 force, all of which would be illegal. Since the SS-X-25 in the road-mobile configuration is highly survivable, the Soviets could have 600 highly survivable illegal warheads.

Sixth, if the Soviets have not violated the SALT II "modernization" rule it is because, as the Secretary of Defense has reported, they have developed an entirely illegal new type ICBM, the SS-X-25, for silo and mobile deployment with, probably 600 illegal warheads on the SS-X-25 as described above. This is a highly significant number of illegal warheads regardless of whether the provision violated is that concerning ICBM modernization or that prohibiting more than one new type ICBM.

Seventh, the Soviet violation of the SALT I ABM Treaty by building a huge new ABM battle-management radar deep in Siberia has profound military significance. This radar is reportedly located near over 200 ICBM silos in which MIRVed missiles are deployed. By my rough calculations, this radar is in position to provide battle-management covereage to over 20 percent of the Soviet ICBM warheads. The radar would, of course, have to be connected to smaller radars and to interceptor missiles, and these are in mass production for deployment. If the Soviets can protect over 20% of their ICBM warheads from U.S. retaliation, this fact would significantly erode the U.S. deterrence capability. The Soviets would have a significantly less vulnerable first strike ICBM force. The U.S. has completely deactivated its one allowed ABM fired while the Soviet Union has been engaged in a series of violations of the ABM Treaty. Overall, the USSR has overwhelmingly reduced the ABM advantage the U.S. had at the time of the 1972 signing of the ABM Treaty.

Eighth, the Soviets have probably deployed 200 SS-16 mobile ICBM's at their Plesetsk test range. This missile carries a single warhead, so that this illegal deployment consists of 200 illegal warheads, a significant number. Moreover, they are mounted on highly survivable mobile launchers, which makes them a secure second strike reserve force.

Ninth and finally, the Soviets are likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty. The Soviets have probably conducted at least four nuclear warhead tests with yields of from 300 to 600 kilotons, from double to four times the legal yield. Since 1978, there have been over 15 Soviet nuclear tests over 150 kilotons. This violation has great significance, because it has allowed the Soviets to test their new generation ICBM warheads at almost full scale yield. These violations, therefore, have allowed the Soviets greatly to increase the lethality of their ICBM counterforce capability. The Soviets have used these violations to achieve their huge counterforce advantage over the U.S. Thus, this is of paramount military significance.

## 5) Summary of the Military Significance of the President's Report on Soviet Arms Control Violations

--Large numbers of illegal missiles and illegal warheads

--About 20% of the Soviet ICBM warheads could be protected by the illegal ABM radar.

--The Soviets have developed a huge advantage in ICBM counterforce capabilities by developing new super lethal nuclear warheads.

--The Soviets have lowered the nuclear threshold with their BW/CW offensive programs or increased their capability, undeterred, to initiate strategic biological warfare.

--The Soviets have increased the risk of surprise attack against NATO and their ability to achieve political victories by the use of illegal (improperly announced) military maneuvers.

## 6) Strategic Implications

I would now like to briefly discuss the strategic implications of the announced Soviet arms control violations. These Soviet arms control violations have paid very handsome dividends for the Soviets. They have assisted the Soviets achievement of overall strategic superiority over the U.S. in both offensive and defensive capabilities.

The Soviets now have an overwhelming strategic offensive superiority over the U.S., a true "first strike" potential so long feared by American strategists. The Soviets are now over ten years ahead of the U.S. in strategic offensive capabilities. This Soviet first strike capability grows ever more ominous each year, and its usefulness for Soviet political blackmail and intimidation is even more dangerously apparent. This Soviet first strike capability is already deeply affecting the whole world's politics, because what they call the "irrevocable" shift in the "correlation of forces" in Soviet favor has made all the nations of the world ever more willing to acquiese in Soviet provocations.

And now there are recent revelations from Defense Department officials that the Soviet Union is also 10 years ahead of the United States in Anti-Ballistic Missile defensive capabilities. The Soviets may, in just another year's time, be able to defend over one-third of both their population and offensive forces from the U.S. retaliatory deterrent. The Soviets may also at any time launch the first Laser Anti-Ballistic Missile battle station into space where they have long been superior in anti-satellite capabilities.

Soviet strategic superiority results in part from their SALT and other arms control violations together with U.S. observance of its arms control constraints and U.S. unwillingness to exercise its own right to withdraw from such agreements on the basis of supreme national interest when Soviet cheating is detected.

These Soviet offensive and defensive advantages threaten the credibility of the U.S. retaliatory deterrent, which has preserved the world's peace since World War II. If the Soviets can threaten a devastating first strike, and then also threaten to defend against a significant part of the U.S. retaliatory response, deterrence is gravely jeopardized. The U.S. is not only vulnerable to Soviet first strike, but even more significantly, because of this vulnerability, we are increasingly subject to Soviet attempts at intimidation through nuclear blackmail.

### 7) Political Implications

U.S. compliance with arms control agreements despite Soviet violations has led to a process in which the Soviet Union is able to add to the advantage it has traditionally had -- outspending the U.S. for strategic nuclear systems -- the advantage of being able unilaterally to advance in areas in which the U.S. is unilaterally constrained. This in turn has contributed to a general weakening in the confidence that Free World nations have in the U.S. and a weakening in our alliances. It has made more pronounced the typical peace time disinclination of democracies to face up to totalitarian threats. It has produced a significant subset of our federal bureaucracy dedicated to the mission of working against U.S. efforts to match its adversary, in the very same way that a similar subset led Britain to look the other way while Hitler was violating the Versailles Treaty.

### 8) Conclusion

One thing we should have learned from two decades of Soviet non-compliance with arms control agreements, and the ineffectiveness of U.S. Government efforts to deal with Soviet cheating, is that not only must arms control agreements be effectively verifiable, but they must be verifiable on the basis of publicly releasable information. For example, if one looks at the "Fact Sheet" released by the Reagan administration on Soviet arms control violations, the most striking thing about it is that it contains few of the facts that are included in the Secret Report to the Congress.

There is a great deal of information now available on Soviet arms control violations -- much more than is contained in the Secret Report of the Reagan administration to the Congress. Some of this information could not be publically disclosed without serious harm to our national security. Some of the information could be declassified but there is a very great reluctance on the part of the intelligence community to do this. The fact that intelligence information must be declassified to support charges of non-compliance is a serious deterrent to informing the public of Soviet violations.

An effective public diplomacy campaign is perhaps the only weapon the United States has to deter Soviet arms control violations. Absent a penalty for violations, the Soviet Union has every incentive to violate arms control agreements. If classification considerations play a major role in U.S. decisions concerning Soviet non-compliance, then the limited deterrent we have to Soviet violations will further erode.

There are those both inside and outside the United States Government who seem to believe that Soviet violations make new arms control agreements even more important. Concerning the chemical and biological weapons treaties, Under Secretary of State Lawrence Eagleburger told the Senate Foreign Relations Committee, "We have all heard the charges that the continuing Soviet defiance of international norms through the use of chemical and toxin weapons proves that arms control cannot work ... Mr. Chairman, we would contend that Soviet actions lead to a different conclusion -- real, equitable and fully verifiable arms control is an absolute necessity. It is not that arms control is pointless, it is that we have to do a better job of it."

That "better job" might include the negotiation of verification provisions that can provide proof of violations that is publicly releasable. The Soviets strongly resist such provisions for the simple reason that they are violating, and intend to violate, existing and proposed arms control agreements. Let us look at the Soviet proposal for the verification of an agreement on chemical weapons.

Shortly after Yuri Andropov's death, the Soviet ambassador to the Geneva Conference on Disarmament, Victor Issraelyan, offered a "new" proposal for the "comprehensive prohibition of chemical weapons." The Western press hailed that proposal -- which it perceived as making a significant concession in regard to "on-site inspections" -- as a major breakthrough in the negotiatons to eliminate chemical weapons from the face of the earth. Mr. Chernenko was credited with taking a positive step forward in arms control.

But is this the case? Let us examine what the Soviets really proposed.

Two elements are crucial to any meaningful effort to eliminate chemical weapons as instruments of war. First is the thorough identification of all existing chemical weapons stocks and the facilities which manufacture those weapons. Second is the accurate verification that all such identified stocks are destroyed and the facilities producing them have terminated operations.

How then do the Soviets suggest we accomplish the above? First, after conceding that neither side has the slightest basis on which to trust the other, Ambassador Issraelyan proposes that both sides individually identify their own existing stocks. The assumption, therefore, is that both sides will be obligated by some nebulous international code of honor to faithfully report all existing stocks.

But Mr. Issraelyan is not as idealistic as such a proposal would suggest. He recognizes that agreement by Washington to such a term would be a unilateral U.S. commitment to the elimination of chemical weapons -- or what has come to be known as arms control Soviet style. The superficiality of the Soviet proposal is further evidenced by the fact that it makes no mention of the identification of existing facilities that manufacture the chemical weapons.

However, completely ignoring the fact that the Soviet proposal in no way guarantees that all existing stocks and manufacturing facilities are identified at the outset, the press praises the "concession" made by the Soviets on the issue of "on-site inspections" to verify destruction of the weapons. Regarding the issue of destruction, the U.S. position has long been one of insistence upon a continuous inspection of facilities to ensure that the destruction of the stocks does, in fact, take place. The Soviet position has, on the other hand, been one of only an "occasional" presence by international monitoring personnel to ensure that the destruction occurs.

The "major breakthrough" focused upon by the press is Mr. Issraelyan's statement last month that the Soviet Union was "declaring today (its) readiness in principle to consider in a positive manner the proposal on permanent presence at the special facilities on stock destruction." In other words, the Soviets suggest they might consider in the future the possibility of thinking positively about such a realistic verification procedure only for the destruction of those stocks they are willing to declare. And, once again, the Soviets are silent on the chemical weapons manufacturing facilities -- making no provision for verifying that production of the weapons is terminated at the same time destruction commences.

What then have the Soviets agreed to do? First, they have agreed to destroy all existing chemical weapons that they admit to having in their possession. Second, they have indicated a willingness "to consider" in a positive way the continuous presence of international inspectors to monitor the destruction of those stocks that Moscow has declared.

What have the Soviets not agreed to do? They have not agreed to concessions that would guarantee that a full disclosure of all existing stocks and manufacturing facilities had been made by both sides. They have not agreed to concessions for permanent on-site inspections to ensure destruction of all stocks -- but only "to consider" such inspections of manufacturing facilities to ensure production of the weapons has been terminated. All in all, the Soviet proposal hardly correlates with the much more realistic U.S. position.

While offering no concrete terms for the realistic control of chemical warfare weapons, the Soviets clamor "Let's make a deal!" Moscow, in doing so, seeks to commit the U.S. now to the destruction of its chemical weapons arsenal without committing itself to the same end. By making a deal with Moscow on such terms, the U.S. would be taking a bad gamble -- one which is not justified by past Soviet treaty compliance. At risk would be the lives of thousands of American fighting men who, in the final analysis, would be the ones subjected to the unilateral employment of these deadly weapons by the Soviet Union. We owe our fighting men a better chance of survival on the battlefield than such an agreement would provide.

I applaud President Reagan's decision to inform the Congress and the American people that the Soviet Union is violating important arms control agreements. However, we should not ignore the fact that there are more violations than the Reagan administration is willing to admit, and that even the Reagan administration appears to be imposing standards of proof that can rarely be met with National Technical Means of Verification.

For example, twice during 1983 President Reagan directly compared charging non-compliance with the acquisition of the type of evidence that can be used in a court of law. Only through the negotiation of effective provisions for cooperative verification can we hope to meet such a standard. We can no longer assume that the mere risk of detection is sufficient to deter. We know that the Soviets have violated agreements and have done things that they were certain would eventually be detected. We must have evidence that is both clear and convincing and which can be released to the world if we are to have any hope of imposing a significant penalty for Soviet non-compliance.

9) Recommendations

I recommend that to enlarge its data base the subcommittee make every effort to: 1) obtain the conclusions of the President's General Advisory Committee concerning Soviet cheating, 2) obtain from the executive branch information concerning all known or suspected violations of arms control treaties not yet reported to this committee.

I recommend that the State Department be urged to question the Soviet government much more sharply than it has in the past and at the highest levels concerning its violations and required to report the results to Congress.

I recommend that hearings be held concerning the discrepancies between what the executive branch has assured the Congress would be required of the USSR under specific arms control agreements and what the Soviet Union has been permitted subsequently to accomplish without successful challenge.

I recommend that every effort be made to publicize the atrocious misconduct of the Soviet Union in violations it has committed.

I recommend that Congress insist that future arms control treaties and agreements have verification features that provide publicly releasable proof of violations.

In order to demonstrate to the Soviet leaders that there are penalties to them for arms control violations and to motivate them to cease in the future, I recommend that actions be taken as follows -- in sequence as Soviet violations continue.

(1) Initiate programs which are allowed under arms control agreements, making it clear that such actions are in response to Soviet violations. Such action would include: a development of defensive biological warfare systems; development of offensive and defensive chemical warfare systems; increased R & D in ABM systems; reactivation of a modernized single ABM site; etc.

(2) Initiate programs to match specific Soviet violations -- i.e. encryption of the telemetering of missile tests; development of battle-management ABM radars; development of a second new ICBM type; etc.

(3) Announce that the time is fast approaching when our supreme national interests will require that the U.S. withdraw from the treaties and political commitments which prevent us from redressing the consequences of Soviet cheating.

### SOVIET DEPLOYMENT OF HEAVY ICBM

Senator **McClure**. Thank you very much, Admiral Zumwalt. Your testimony is very concise and precise, and directed to the points which concern at least this Senator very directly.

Admiral, in 1972 you testified on SALT I that if the Soviets deployed a heavy ICBM to replace light ICBM's, this would violate SALT I. Do you believe that the Soviet heavy SS-19 ICBM deployment violated SALT I?

Admiral **Zumwalt**. I believe that it does clearly violate SALT I as SALT I was reported and explained to the Congress of the United States in its ratification process. I believe that there was information available to the Government at the time, but unknown to the Joint Chiefs of Staff, that confirmed that a violation was going to be made.

Senator **McClure**. That is an interesting comment. I don't want to get diverted too far, but I want to underscore the statement that our Government had information which the Joint Chiefs of Staff did not have. Did I understand you correctly?

Admiral **Zumwalt**. That is correct.

Senator **McClure**. That to me is a separate issue, but not entirely separate, and a very serious charge, because if the Joint Chiefs can't have all the information we have, how in the world can they make their judgments.

Admiral **Zumwalt**. I think that would be a matter that would be useful at some point to go into in classified hearings, Mr. Chairman.

### ADDITIONAL VIOLATIONS

Senator **McClure**. I want to emphasize one portion of your testimony which you skipped over, that which appears on page 2 in paragraph 3, the additional violations. I think, in order that we emphasize, it might be well if you would simply reiterate what you have stated in paragraph 3.

Admiral **Zumwalt**. Yes, sir. Based on my review of existing intelligence, I have confidence that in the future the White House will be reporting many additional Soviet arms control violations.

Senator **McClure**. You have already mentioned in response to my first question about the SS-19 ICBM deployment being a violation of SALT I, and you mention also the testing of SAM-5 air defense missiles and radar in combination.

Admiral **Zumwalt**. Mr. Chairman, Mr. Perle also referred to that, and that is one of these fascinating examples of the way in which Government produces declaratory policy and discorrelation with reality. For a number of years, our Government has been telling the public that there are not instances of Soviet violations of arms control agreements which have either not been halted or satisfactorily explained. Those words are literally true and substantively deceptive, because, for example, it is written in that way to avoid disclosing the specific violation, the fact that there were some 50 violations by the testing of the surface-to-air missile No. 5 in the antiballistic missile mode.

Senator **McClure**. That is a significant violation.

Admiral **Zumwalt**. Absolutely. The Soviets should have gotten all the information they need from those tests.

### RECOMMENDATIONS ON VIOLATIONS

Senator **McClure**. You have, on your final page, given some specific recommendations, which I very much appreciate, because we must carry it on beyond simply discovering whether or not there are violations to some kind of a response mechanism.

Some of these that you have suggested are going to be very costly and time consuming. One or two, however, don't take any money at all, such as the one in point No. 2, the encryption of the information that we have in our own weapon tests, that would require virtually no expenditure at all, and it could be tied very directly to Soviet misconduct.

Admiral **Zumwalt**. That is correct, Mr. Chairman. Aping the Soviet art, which has been to deny that a violation has occurred, because it is not their responsibility to decide what our weaknesses are with regard to gathering telemetered information, we could, by merely encrypting our information, give them the same answer.

Senator **McClure**. I would invite you to continue doing what you have done here, obviously, and that is giving it a great deal of thought and analysis, and structuring some specific recommendations.

I also am very much aware of the accuracy of what you said a moment ago with respect to the first thing that the Congress should not do is to cut defense expenditures on the strategic missile systems. That may be the beginning of an effective response. I appreciate your testimony.

Admiral **Zumwalt**. Thank you very much, Mr. Chairman.

Senator **Stevens**. Admiral, I am sorry that I was late. I am pleased that Senator McClure is chairing this subcommittee and these hearings. We had briefings this morning on El Salvador, and a hearing in another subcommittee.

### CAUTION REQUIRED IN DISCLOSURE OF SOVIET VIOLATIONS

My question to you is, the problem that I see in terms of the growing demand that the President disclose more of the violations, isn't the fact that the violations are not disclosed when they are first brought to the attention of the President and the national security people, that they have been obtained through such classified sources that in many instances if they were disclosed, they would lead to a loss of those sources?

Admiral **Zumwalt**. That certainly is one of the things that has to be evaluated, Senator. It is one of the reasons why there have been long delays in some cases in reporting. My own view is that the risks of failing to report to the public in a democracy such as ours, which has to rely on public information in order to know how best to cast its vote in support, are so great that some additional risk needs to be taken with regard to the intelligence community's traditional reluctance to declassify.

I think that much more can be declassified without revealing how the information was obtained.

Senator **Stevens**. Many of us have argued that with the intelligence community now for years, and we have not been too successful. On the other hand, when there is human intelligence involved, we certainly have the duty to make certain that we are not risking any of the people who are committed to getting us the information we need. I would rather have the information, than to have it disclosed if the disclosure means the elimination of the people who are assisting us. I am sure that you would agree with that.

Admiral **Zumwalt**. Yes, sir. I had to participate in the tragic decision using the Cuban missile crisis, when Mr. Kennedy elected to disclose information that was decided would almost certainly lead to hazarding Penkofsky, the Soviet agent who was giving us information, and it did lead to his elimination. In that case, I am sure, at the time and retroactively, that it was good judgment, but it has to be made with great care.

Senator **Stevens**. I do appreciate your taking the time. This afternoon, we are going to hear from three more witnesses, maybe four, who will be testifying on this. I think that it is important that we have this information out. We lost the battle for the defensive chemical weapons initiative last year. The Senate passed that by one vote, and the House totally rejected it.

I hope you know that some of us are trying to offset the initiative of the Soviets in this regard.

Thank you very much, Admiral.

Senator **McClure**. Admiral Zumwalt, one further question, if I may.

## KISSINGER/BREZHNEV SECRET AGREEMENT

You have written in the past about a secret agreement that was negotiated by Secretary Kissinger and Brezhnev added to the SALT I relating to the failure of the United States, or the giving away by the United States of the right to deploy three additional submarines, and deactivating Titan-II ICBM's. Would you elaborate on that?

Admiral **Zumwalt**. Mr. Chairman, in order to be completely accurate, since memories tend to get hazy, I would like to do that for the record. It is correct that I have written the details of the information that was withheld from the Joint Chiefs at the time that the treaty was being put forward, and indeed we were not given that information until after we had testified on Capitol Hill in support of the treaty.

Senator **McClure**. Now the United States is going even further than what was conceded by that secret agreement in unilaterally deactivating both the 54 Titan-II ICBMs, and in addition 160 Polaris SLBM's, and 32 Poseidon SLBM's. It would seem to me that this unilateral action on our part at this time in connection with that which was conceded in the Kissinger agreement, has substantially reduced the U.S. deterrent power. Am I correct?

Admiral **Zumwalt**. Yes, sir, you are. It gives me the chance to make a point that I should have made in my text, and that is that probably the strongest justification for the bureaucratic mindset in the Arms Control and Disarmament Agency, to which I referred, which seek, as did the British corollary subset in the case of the

Versailles Treaty, prevent the knowledge of these violations from coming forth.

Probably the strongest point in their favor is that many of them believe that you simply cannot get the Congress of the United States, given the public mood, to support the kinds of strategic budgets that it would take to match the Soviets. Therefore, you had better overlook the violations in the hope that in some way they are shamed not to go as far as they would without the treaty.

Senator **McClure**. I understand that line of argument. It seems to me that if you are to have any hope of having the Congress of the United States take appropriate action, it must be based on an informed public opinion.

Admiral **Zumwalt**. I couldn't agree more, Mr. Chairman.

Senator **McClure**. Thank you again very much. If you would provide your explanation in writing to the committee, I would appreciate that.

Admiral **Zumwalt**. Yes, sir.

Senator **McClure**. Thank you very much.

### SUBCOMMITTEE RECESS

This will conclude the session of the committee this morning. We will reconvene at 2 p.m., in SD–116.

[Whereupon, at 11:45 a.m., Wednesday, March 28, the subcommittee recessed, to reconvene at 2 p.m., the same day.]

## Afternoon Session

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### WEDNESDAY, MARCH 28, 1984

U.S. Senate,
Subcommittee on Defense,
Committee on Appropriations,
*Washington, DC.*

The subcommittee reconvened at 3:05 p.m., in room SD-116, Dirksen Senate Office Building, Hon. James A. McClure, presiding.

Present: Senator McClure.

## NONDEPARTMENTAL WITNESSES

### INTRODUCTION OF WITNESSES

Senator **McClure**. The meeting will come to order.

I do apologize for having been detained, but we have a little matter on the floor called oil company mergers. We are dealing with that question, and I had to be there to help for a time with respect to that debate. I am sorry for the inconvenience that has undoubtedly caused some of our witnesses. Again, I apologize for it.

The first witness this afternoon will be Mr. Douglass who will give the statement of Dr. William R. Van Cleave, the director of the Defense and Strategic Studies Program at the University of Southern California.

Mr. Douglass is in his own right an expert in this field, and I am very, very happy that we have him here to present this paper He is, of course, the author of a number of papers, perhaps the most recent is a highly provocative policy paper, C.B.W., the Poorman's Atomic Bomb.

With that, we will perhaps call on Mr. Douglass, and ask him to proceed.

### JAYCOR

### STATEMENT OF DR. JOSEPH DOUGLASS, PRESIDENT OF JAYCOR, REPRESENTING DR. WILLIAM R. VAN CLEAVE, DIRECTOR, DEFENSE AND STRATEGIC STUDIES PROGRAM, UNIVERSITY OF SOUTHERN CALIFORNIA

### SOVIET TREATY VIOLATIONS

Dr. **Douglass**. Thank you very much, Senator.

Dr. Van Cleave regrets not being able to be here today. He unfortunately broke his ankle jogging in the hills of Idlewild. If you have been to Idlewild, you can appreciate that particular area. He asked me if I would come in and present his statement.

In accordance with congressional mandate, President Reagan has submitted to the Congress a report based upon "a careful review of many months" that set forth seven examples of Soviet noncompliance with arms control agreements.

The violations cover almost every major arms control agreement concluded to date: the Geneva Protocol on Chemical Weapons, the Biological Weapons Convention, the Helsinki Final Act, the Threshold Test Ban Treaty, and both SALT I and SALT II.

This unprecedented report carries profound significance. An American administration has officially and openly acknowledged that the Soviet Union is in violation of the very arms control agreements that have been regarded by many as essential to our security.

The violations—whether categorized as certain, almost certain, or probable—were agreed upon without dissent by the numerous Government agencies involved in the review.

As the New York Times recently reported:

> Ordinarily, interagency documents include footnotes or similar devices in which dissent from some of the conclusions, mild or otherwise, can be expressed. But the 55-page report didn't include any indication of possible fallibility or doubt.

Given the importance and potential political impact of such a document, there has been a puzzling attempt to downplay it by both the administration and the media. There has been little discussion of how the United States should respond to Soviet noncompliance.

### U.S. RESPONSE TO SOVIET VIOLATIONS

Any effective U.S. response was called into question only 4 days after submission of the report to Congress, when the President delivered a major speech on United States-Soviet relations that reemphasized arms control and the need for arms negotiations.

And it seems to have been laid to rest in the President's most immediate military action in the aftermath of the report, which was to agree to a $57 billion cut in defense spending over the next 3 years.

Such a response to Soviet disregard of formal arms control commitments seems a stark contrast to the 1980 Republican national platform, which promised a new realism in U.S. approach to arms control.

Is this new realism? Is this the way to promote effective arms control, or is it the way merely to fan unrealistic hopes for arms control and to encourage further Soviet violations?

I have the greatest admiration for President Reagan's decision to make public seven examples of Soviet arms control violations and to say publicly what his predecessors would not, that the Soviets have been violating essentally all important arms control agreements, but what is this administration doing about it? Nothing.

What is it doing to dissuade further Soviet noncompliance? Nothing.

And what is it doing to correct the military advantages that the U.S.S.R. has been acquiring through noncompliance? Again nothing.

### SENATOR JACKSON MEMO TO PRESIDENT CARTER

On February 15, 1977, the late Senator Henry Jackson sent to President Carter a "Memo for the President on SALT," which forecast and covered the situation of today. Senator Jackson said:

> It is essential to understand that even a perfect capability to verify compliance means little if we lack the means to redress the results of a violation; or if, as is often the case, the costs of taking corrective action are thought to be so high that we are deterred from doing so. In that event, our only recourse may be acquiescence, with all that implies for confidence in the agreement, our security interests, and our national resolve.
>
> The previous administration failed to respond to several Soviet moves to exploit loopholes in the SALT I agreement, not because those moves were without harmful consequences, but because the consequences of our responding were themselves deemed harmful. Thus, I find unpersuasive the argument that the Soviet would not risk the consequences of getting caught in a violation.

### TREATY COMPLIANCE REQUIREMENTS

Soviet violations are inconsistent with the fundamental objectives of U.S. arms control policy. Without faithful compliance, arms control agreements cannot be effective. To the extent that U.S. national security rests on such agreements, that security is jeopardized by Soviet efforts to undermine both the spirit and the letter of those agreements.

For 15 years U.S. national security policy has heavily emphasized the need for effective arms control agreements with the Soviet Union. In pursuit of such agreements, the United States has exercised a great deal of unilateral restraint in arms control programs. The resulting trends have been adverse and augur ill for both national security and arms control.

### SALT AGREEMENTS

SALT agreements in particular were supposed to reduce the need for major arms modernization programs, and at the same time enhance the survivability of U.S. deterrent forces. In retrospect, such expectations should have been dampened immediately after the first Strategic Arms Limitation Agreement which was concluded in 1972.

New Soviet arms program clearly circumvented the purpose and intent of the agreement. For example, the provision intended to prevent the substitution of heavy ICBM's for light ICBM's. Soviet action in effect violated the agreements as they had been represented to Congress and the American public by the administration.

They took actions that they clearly knew to be a violation of the U.S. interpretation of the agreement. They probably expected that the U.S. Government would regard such acts as violations, but they engaged in them anyway in the accurate expectation that the United States would not respond. This despite the warning of Dr. Henry Kissinger that "if this agreement were being circumvented, obviously we would have to take compensatory steps."

Following the signing of SALT I, the U.S.S.R developed and deployed precisely the capabilities that were to have been precluded by strategic arms limitation and a stable regime of mutual deterrence. The reality is that Soviet arms programs have been in direct contradiction of American arms control objectives which have sought to stabilize strategic force levels at parity.

The consequent transformation in the strategic balance has been accompanied by a new and ominous aggressiveness on the part of the Kremlin. This boldness has manifested itself repeatedly in Africa, the Middle East, Afghanistan, Southeast Asia, and Central America.

## SOVIET USE OF BIOLOGICAL WARFARE

In Afghanistan and Southeast Asia, the world has witnessed Soviet aggression, accompanied by repeated violations of the most comprehensive arms control agreement to date, the 1975 Biological and Toxin Weapons Convention, which was advertised as having abolished an entire category of weaponry.

No one can seriously argue today that arms control has placed any significant limitations on the growth of Soviet military capability, including the expansion and modernization of Soviet strategic nuclear forces. In fact, the greatest increase in Soviet military power has been their strategic nuclear forces, just precisely the area presumably most governed by existing arms control agreements.

## ARMS CONTROL FAILURES

The reasons for failure of arms control are clear. The Soviets have subordinated all other considerations to the attainment of nuclear superiority, and consequently have refused to agree to any significant constraint that might interfere with that goal.

The Soviet approach to arms control is clear. Soviet policy in the first instance is to avoid limitations that would interfere with ongoing or planned force programs. When limitations, attractive because of their effect on the United States might become restrictive on their own programs, the Soviets have been careful to insist on language that would preserve the delusion of control while actually leaving them literally unconstrained and free to pursue their objectives. Now we see that in addition to such circumvention of the purposes of an agreement, the Soviets are willing to violate agreements outright in order to pursue military advantage.

The Soviets have tested the United States will to respond effectively to such behavior. They have found it lacking, and they have been encouraged thereby to become even more audacious in their noncompliance activities. The principal reaction of the U.S. Government to Soviet circumvention of the arms agreements was to build into the bureaucracy another bureaucracy with the mission of rationalizing Soviet arms control circumventions and violations. This bureaucracy is still in place and flourishing.

### EFFECT OF MEDIA AND POLITICS ON ARMS CONTROL

Despite the magnitude of the noncompliance, as well as increasingly threatening Soviet foreign ventures, there continues to predominate in the American political process an undaunted emphasis on arms control as the key to stabilizing relations between the two superpowers. Contrary to the realities of experience, domestic politics encourages the preeminence of arms control. Even the most essential strategic modernization programs are now linked to the arms control process.

The fundamental problem is that arms control enthusiasts and the media have been careless in their treatment of the realities of arms control. They have overstated what can be accomplished by agreement and have equally overstated the consequences of nonagreement. When both the media and national political leaders engage in this practice, they increase political pressures for any arms control agreement, regardless of its content.

Many politicians reinforce the political pressures on themselves, pressures that lead to extol arms control, accommodate to achieve agreements, and then pretend that any arms control is good arms control. Those same pressures are then often brought to bear to oppose the necessary strategic programs and proper levels of defense funding.

### EFFECT OF ARMS CONTROL PROCESS ON U.S. SURVIVABILITY STANDARDS

The primary of the arms control process to date has had the deleterious effect of lowering the standards of strategic force survivability while simultaneously establishing itself as the "centerpiece" of U.S. defense planning and national security policy.

As such, U.S. force modernization is portrayed as an unnecessary arms "buildup," instead of what it actually is—a reaction to threatening Soviet programs and an effort to realize a primary goal of arms control, the enhancement of strategic stability.

Ironically, it has also lowered the standards originally set for arms control. What an agreement accomplishes, or does not accomplish, in terms of national security has become far less important than merely reaching an agreement. It has led to a regrettable view expressed by a recent envoy of the White House to Moscow on arms control, retired Gen. Brent Scowcroft, "Any kind of an agreement that we have with the Soviet Union is going to be in our interest."

The ubiquitous arms control process has permeated all levels of official strategic thought and subsequent force and policy planning to the point that force modernization, specifically, and strategic planning, in general, have become hostage to the perceived need to reach some form of agreement, however loose, with the Soviets.

This dangerous development is evident in the findings and recommendations of many recent commissions, panels, and defense planning reports, which use the hope or promise of arms control as the primary planning tool to forge defense modernization as well as U.S. defense policy.

## ARMS CONTROL "FEVER"

This unsubstantiated faith in the process of arms control has been aptly labeled by former Director of the Arms Control and Disarmament Agency, Eugene Rostow, as "arms control fever." This fever is nowhere more apparent than in the recent opposition to the President's submittal of the interagency report on Soviet noncompliance.

## ARGUMENTS FOR ARMS CONTROL AGREEMENTS

The White House report of Soviet activities that contravene existing arms control agreements has met with ardent criticism of arms control enthusiasts, despite its having been mandated by the law. In their criticism are found a number of arguments used repeatedly to defend the arms control process and to reduce the significance of Soviet activities that call into question this very process.

These arguments can be summarized as follows:

(1) without arms control agreements, an arms race will occur, while agreements can prevent such a race;

(2) without arms control, we risk losing what we have already gained through previous agreements;

(3) Soviet violations, to the extent they exist, are not strategically significant;

(4) such matters should be kept out of the public forum so as not to poison the arms control atmosphere;

(5) the United States has no effective responses that would benefit it more than the Soviets.

## ARGUMENTS AGAINST PRESSURE-FORCED AGREEMENTS

These arguments can be easily and quite logically be repudiated.

First, a Soviet arms race of unprecedented magnitude has occurred in the presence of arms control agreements. Current Soviet arms consumes at least 15 percent of the Soviet GNP compared to some 6 percent for the United States. In fact, it is difficult to imagine what more the Soviet Union could do above what and beyond what it is already doing in its continual development and deployment of convention and nuclear armaments.

The only dampening effect of arms agreement and the arms control process has been unilaterally on the West, the side that does not need agreements to show restraint. Arms control is inherent in Western democracies, with or without negotiated agreements. Arms are controlled and are limited by our traditional values, by our political and budgeting processes, and by the influence of the media and of public opinion.

The logic of the second argument, that the United States will risk losing all it has gained via previous arms control agreements, is curious given the adverse change in the strategic balance that has occurred during the SALT decade, and the obvious implications of the administration's report on Soviet arms control violations. What has the United States gained that is so worth preserving that we must condone Soviet misbehavior?

Concerning the third point, the only way in which the cited violations can possibly appear strategically insignificant is in light of all that the Soviets are doing both in and outside of the constraints of arms control agreements. That is militarily significant violation may seem relatively insignificant precisely because of the magnitude of unconstrainted Soviet strategic modernization.

When the aggregate impact of violations is added to the Soviet arms programs unaffected by arms control, the resulting situation not only casts doubt upon the utility of the arms control process, it also represents a dramatic threat to American security.

Nevertheless, I do believe that certain Soviet actions in violation of existing agreements do carry import and potential military implications in addition to the profound political implications of Soviet cheating.

### SOVIET USE OF CHEMICAL WARFARE

The military implications of the use of lethal toxins and chemical weapons should be clear. What is even more ominous is the possibility that the employment of such agents in Southeast Asia, Afghanistan, and the Middle East may be largely testing for future and more massive use of such agents by Soviet forces.

Violations such as those associated with the ABM Treaty certainly carry potentially profound strategic significance. The Soviet Union is in the process of laying the basis for a rapidly deployable ABM system which could be very effective against a U.S. retaliatory attack, specially when already reduced by Soviet attack.

It is also upgrading its air defense system, giving it capability against ballistic missile warheads, as well as against bombers and cruise missiles. The effect of these actions could greatly interfere with U.S. targeting requirements and thereby degrade U.S. deterrent.

### STRATEGIC OFFENSE FORCE DEVELOPMENT

In the area of strategic offense force development, Soviet activities seem to point to a pattern of developing an even larger and less locatable strategic reserve force than the Soviets already possess.

The violation of the one new type ICBM rule, of provisions pertaining to the mobile SS-16, and extensive telemetry encryption that impedes verification point to the development of new ICBM capabilities, including a mobile and/or concealable component essentially immune to U.S. targeting, which could serve as an awesome reserve force.

Other violations, which may be emerging, will also improve offensive force capabilities in submarine-launched ballistic missiles, bombers, and cruise missiles.

The fourth argument that the United States should not make Soviet violations public, but should only pursue Soviet noncompliance in private channels attacks the very essence of an open democracy, as well as the President's obligation to the people. It also ignores the record of repeated but futile U.S. efforts to deal with Soviet actions in private channels.

Attempts to explore issues of Soviet noncompliance with arms control agreements in the Standing Consultative Commission and through a number of additional bilateral diplomatic channels have met with stubborn Soviet refusal to acknowledge, clarify, or cease questionable activities. Continuous Soviet intransigence, combined with congressional action requiring the President to report on these violations, have left no satisfactory alternative to bringing the matters to public light.

It is paradoxical that while the proponents of traditional arms control have encouraged public discussion of arms control and nuclear weapons, they now seek to withhold information from the public that is central to this discussion.

If there is a true interest in conducting an honest and comprehensive debate, should the public not be made aware of Soviet duplicity and noncompliance with solemn commitments before we embark upon further arms control negotiations?

As to the fifth point, there are U.S. responses available, but even were there none completely effective in and of themselves, public revelation of Soviet circumvention of any agreements must contribute to a more realistic Western attitude toward the Soviet Union, and this might enable more effective Western security policies.

In his coverletter to Congress accompanying his report, President Reagan claimed that, "The United States would work toward 'better treaty drafting' in future negotiations and more workable verification provisions in all treaties." The SALT agreements are replete with examples of loopholes taken advantage of by the Soviet Union. Of course, this is a direct result of the Soviet desire to secure loopholes in order to protect military programs that might otherwise be constrained.

The Geneva Protocol and Biological and Toxin Weapons Convention are examples of tightly worded arms control agreements that the Soviet have still managed to violate on several occasions. Therefore, while welcome, tighter wording is not necessarily the final solution.

## VERIFICATION PROVISIONS

More workable verification provisions would also be in the best interest of the United States, particularly in light of the Reagan administration's attempt to shift nuclear arms control away from ineffective limitations on launchers and in the direction of more meaningful limitations on such parameters as warheads, missiles and throwweight. Serious verification inadequacies apparently already exist as evident in the fact that some 2 years elapsed before the U.S. intelligence community discovered the massive Abalakovo radar complex.

However, increased verification capability might only enhance our knowledge of that which we already know—the Soviet Union is systematically violating, circumventing, and ultimately defeating the intent and purpose of a number of the most serious arms control agreements. Soviet arrogance is demonstrated by the fact that the Soviets clearly knew that we would eventually find the Abalakovo radar and identify it as a violation, and still the Soviets were not deterred from this violation.

## ARMS CONTROL OBJECTIVES

The objectives of arms control were predicated on mutuality of interest between the United States and the Soviet Union. If, as the Soviets have indicated by their actions over the last decade, no such mutuality exists, then there is no amount of verification capability or tightness of written definitions that will deter noncompliance.

Although the above improvements will certainly be welcome additions to the arms control process, they are not enough. What emerges as the most important lesson is the need for a firm U.S. compliance policy.

If arms control is to be at all effective, then the United States must seriously address the coherent formulation and implementation of an effective compliance policy. Therefore, the fundamental question, "After Detection—What?", although postulated over 20 years ago, is still timely today.

The importance of Soviet violations has been emphasized by President Reagan's three predecessors and a number of the highest officials in each respective administration. President Carter unequivocally assured the American public that, "a violation of this agreement—SALT II—would be so serious as to give us grounds to cancel the treaty itself."

No arms control agreement can contribute to U.S. security unless we have confidence that the Soviet Union is abiding by its terms. To have such confidence requires means to discourage Soviet noncompliance beyond monitoring and verification capability.

The United States has so far not fashioned measures adequate to deter the U.S.S.R. from cheating. The United States has never applied, or apparently even seriously considered, safeguards or sanctions to hedge against or respond to Soviet noncompliance with arms control agreements.

It is somewhat ironic that proponents of traditional arms control concepts who argue that the administration should "bury" the current evidence of Soviet cheating are, in effect, damaging the very process they hope to preserve. This has the practical implication of encouraging U.S. inaction, which concurrently diminishes the deterrent to noncompliance.

## SUPPORT OF PUBLIC OPINION

Democratic governments are likely to act more swiftly and effectively if supported by public opinion. Support from the public will only be feasible when it understands the complexities and purpose of any agreement, U.S. policy toward noncompliance or circumvention, and the range of possible sanctions applicable in response to any of violation.

The role of educator must be undertaken by the President. The Reagan administration should confront Soviet violations with a strong public information program which emphasizes the Soviet attitude toward arms and arms control agreements and the necessity for the United States to have a determined compliance policy. The realities of arms control and of the Soviet threat should be clearly explained, and arms control fever cooled.

## SOVIET WALKOUT ON NEGOTIATIONS

The administration should take the violations report as an opportunity to live up to its campaign promise of a new arms control realism. As such, the Soviet arms control walkout should be viewed in a positive light as it represents an opportunity to place before the American people the question of the efficacy of future arms control. After 15 years of almost continual "arms control fever," surely a brief hiatus in which to reevaluate U.S. priorities cannot be harmful.

The Soviet walkout from the START and INF talks is no disaster. To the contrary. Given the arms control record, Soviet unilateral suspension of arms control talks might even increase the safety of every American.

Rather than considering new concessions to induce the Soviets to return to the negotiating table, the United States should declare that it has now suspended arms control negotiations with the Soviet Union until it ceases violating and defeating the purposes of existing agreements and surrenders the unilateral advantages it has achieved by such actions.

If the arms control process is to be retained, safeguards should be prepared as effective responses to future noncompliance, and even punitive measures should be made available to show the seriousness with which the United States intends to approach future noncompliance.

To effect such a compliance policy, the United States must be willing and able to respond quickly to Soviet violations with any number of predetermined sanctions commensurate with the seriousness of the breach.

## COMPENSATORY PROGRAMS BY UNITED STATES

The Soviet leadership must clearly understand that whenever they violate a treaty, some form of compensatory measure will be taken by the West, for if there is any question as to the credibility of the response, we will instead only be encouraging further Soviet noncompliance.

Such compensatory measures should include contingency plans for substantially increased military spending, new programs, and accelerated programs, all of which should be authorized by Congress at the time of U.S. approval of any arms control agreements.

As a start—no pun intended—the U.S. Government must insist that the Soviet Union cease all practices in violation of, or noncompliance with, existing agreements, and void itself of the fruit of those practices. This will require that the Soviet dismantle the corresponding programs and systems such as the Abalakovo radar, certain other ABM and air defense systems components, the SS-25 and SS-16, and all CBW facilities and stocks.

The United States otherwise, should announce itself free from the obligations of the violated agreements. And the United States should embark immediately on selected compensatory military programs.

This includes not only rejecting proposed cuts in the defense budget, but it requires also a supplemental budget increase directed particularly toward strengthening U.S. nuclear deterrent forces.

Such actions include, for example, accelerating the small ICBM program, immediately increasing the number of deployed Minuteman III missiles by 100, adding an ABM defense to Peacekeeper and Minuteman deployments, upgrading air defense systems feasible for ABM capabilities, dispersing the bomber force and constructing austere bases for additional dispersal, and testing nuclear warheads above 150 kilotons.

There are punitive supplemental responses beyond such arms programs available as well, such as further tightening controls on technology transfer, loans, and credits to the Soviet bloc, revoking legislative restrictions on American actions in Africa and Central America, and increasing aid to victims of Soviet CBW agents, including especially the Afghan freedom fighters.

I am sure that fertile minds can come up with many additions to these suggestions, but the main point is that there must be a strong American reaction to Soviet arms control violations.

### FUTURE ACTIONS OF UNITED STATES ON ARMS CONTROL

The United States is currently at a monumental juncture of modern history and decisions made over the course of the next several months may well affect generations to come. If, however, the President misses this opportunity and the arms control process is permitted to continue unabated, we may find ourselves, in the not too distant future, confronting the Soviet Union with little more than hope. As Pericles noted in his funeral speech, "hope amounts to no more than the strength of helplessness."

Nonreaction to Soviet arms control violations will take on the character of appeasement. As Soviet military power increases, so will the disincentives to challenge Soviet violations of international law. The Romans had a phrase for this. Silent leges inter arma. Or, the laws are silent in the presence of arms. They also had a phrase for those who followed the course of appeasement: Vae victis, or woe to the vanguished.

[The prepared statement of Dr. Van Cleave follows:]

### Prepared Statement of Dr. William R. Van Cleave, Director, Defense and Strategic Studies Program, University of Southern California

In accordance with Congressional mandate, President Reagan has submitted to the Congress a report based upon "a careful review of many months" that sets forth seven examples of Soviet noncompliance with arms control agreements. The violations cover almost every major arms control agreement concluded to date: the Geneva Protocol on Chemical Weapons, the Biological Weapons Convention, the Helsinki Final Act, the Threshold Test Ban Treaty, and both SALT I and SALT II.

This unprecedented report carries profound significance. An American administration has officially and openly acknowledged that the Soviet Union is in violation of the very arms control agreements that have been regarded by many as essential to our security. Thet violations (whether categorized as certain, almost certain, or probable) were agreed upon without dissent by the numerous government agencies involved in the review. As the New York Times recently reported: "Ordinarily, interagency documents . . . include footnotes or similar devices in which dissent from some of the conclusions, mild or otherwise, can be expressed. But the 55-page report . . . did not include any indications of possible fallibility or doubt."

### U.S. RESPONSE TO SOVIET TREATY VIOLATIONS

Given the importance and potential political impact of such a document, there has been a puzzling attempt to downplay it by both the Administration and the media. There has also been little discussion of how the United States should respond to Soviet noncompliance. Any effective U.S. response was called into question only four days after submission of the report to Congress when the President delivered a major speech on U.S.-Soviet relations that re-emphasized arms control and the need for arms negotiations. And the question seems to have been laid to rest by the President's most immediate military action in the aftermath of the report—which was to agree to a 57 billion dollar cut in defense spending over the next three years.

Such a response to Soviet disregard of formal arms control commitments seems a stark contrast to the 1980 Republican National Platform, which promised a new realism in the U.S. approach to arms control. Is this new realism? Is this the way to promote effective arms control or is it the way merely to fan unrealistic hopes for arms control and to encourage further Soviet violations? I have the greatest admiration for President Reagan's decision to make public seven examples of Soviet arms control violations, and to say publicly what his predecessors would not: that the Soviets have been violating essentially all important arms control agreements. But what is this Administration doing about it? Nothing. What is it doing to dissuade further Soviet noncompliance? Nothing. And what is it doing to correct the military advantages that the U.S.S.R. has been acquiring through noncompliance? Again, nothing.

On February 15, 1977, the late Senator Henry Jackson sent to President Carter a "Memo for the President on SALT", which forecast and covered the situation of today. Senator Jackson said:

"It is essential to understand that even a perfect capability to verify compliance means little if we lack the means to redress the results of a violation; or if, as is often the case, the costs of taking corrective action are thought to be so high that we are deterred from doing so. In that event, or only recourse may be acquiesence, with all that implies for confidence in the agreement, our security interests, and our national resolve.

"The previous administration failed to respond to several Soviet moves to exploit loopholes in the SALT I agreement—not because those moves were without harmful consequences, but because the consequences of our responding were themselves deemed harmful. Thus I find unpersuasive the argument that the Soviets would not risk the consequences of getting caught in a violation."

Soviet violations are inconsistent with the fundamental objectives of U.S. arms control policy. Without faithful compliance, arms control agreements cannot be effective. To the extent that U.S. national security rests on such agreements, that security is jeopardized by Soviet efforts to undermine both the spirit and the letter of those agreements.

## U.S. NATIONAL SECURITY POLICY REQUIREMENTS

For fifteen years U.S. national security policy has heavily emphasized the need for effective arms control agreements with the Soviet Union. In pursuit of such agreements the United States has exercised a great deal of unilateral restraint in arms programs.

The resulting trends have been adverse and augur ill for both national security and arms control SALT agreements in particular, were supposed to reduce the need for major arms modernization programs, and at the same time enhance the survivability of U.S. deterrent forces. In retrospect, such expectations should have been dampened immediately after the first Strategic Arms Limitation Agreement, which was concluded in 1972. New Soviet arms programs clearly circumvented the purpose and intent of the agreement; for example, the provision intended to prevent the substitution of heavy ICBMs for light ICBMs.

Soviet actions in effect violated the agreements as they had been represented to Congress and the American public by the Administration. They took actions that they clearly knew to be violations of the U.S. interpretation of the agreement.

They probably expected that the United States Government would regard such acts as violations, but they engaged in them any way in the accurate expectation that the United States would not respond. This despite the warning of Dr. Henry Kissinger that "if this agreement were being circumvented, obviously we would have to take compensatory steps."

Following the signing of SALT I, the U.S.S.R. developed and deployed precisely the capabilities that were to have been precluded by strategic arms limitations and a stable regime of mutual deterrence. The reality is that Soviet arms programs have been in direct contradiction of American arms control objectives which have sought to stabilize strategic force levels at parity.

The consequent transformation in the strategic balance has been accompanied by a new and ominous aggressiveness on the part of the Kremlin. This boldness has manifested itself repeatedly in Africa, the Middle East, Afghanistan, Southeast Asia, and Central America. In Afghanistan and Southeast Asia the world has witnessed Soviet aggression, accompanied by repeated violations of the most comprehensive arms control agreement to date, the 1975 Biological and Toxin Weapons Convention, which was advertised as having abolished an entire category of weaponry.

No one can seriously argue today that arms control has placed any significant limitation on the growth of Soviet military capability, including the expansion and modernization of Soviet strategic nuclear forces. In fact, the greatest increase in Soviet military power has been in strategic nuclear forces, which is precisely the area presumably most governed by existing arms control agreements.

### REASONS FOR ARMS CONTROL FAILURES

The reasons for the failure of arms control are clear. The Soviets have subordinated all other considerations to the attainment of nuclear superiority, and consequently have refused to agree to any significant constraint that might interfere with that goal. The Soviet approach to arms control is clear. Soviet policy in the first instance is to avoid limitations that would interfere with ongoing or planned force programs. When limitations, attractive because of their effect on the U.S. might become restrictive on their own programs, the Soviets have been careful to insist on language that would preserve the delusion of control while actually leaving them literally unconstrained and free to pursue their objective. And now we see that in addition to such circumvention of the purposes of an agreement, the Soviets are willing to violate agreements outright in order to pursue military advantage.

The Soviets have tested the U.S. will to respond effectively to such behavior. They have found it lacking, and they have been encouraged thereby to become even more audacious in their noncompliance activities. The principal reaction of the United States Government to Soviet circumvention of arms agreements was to build into the bureaucracy another bureaucracy with the mission of rationalizing Soviet arms control circumventions and violations. This bureaucracy is still in place and flourishing.

Despite the magnitude of this noncompliance, as well as increasingly threatening Soviet foreign ventures, there continues to predominate in the American political process an undaunted emphasis on arms contol as the key to stabilizing relations between the two superpowers. Contrary to the realities of experience, domestic politics encourage the preeminence of arms control. Even the most essential strategic modernization programs are now linked to the arms control process.

The fundamental problem is that arms control enthusiasts and the media have been careless in their treatment of the realities of arms control; they have overstated what can be accomplished by agreement and have equally overstated the consequences of non-agreement.

When both the media and national political leaders engage in this practice, they increase political pressures for any arms control agreement regardless of its content. Many politicians, in effect, reinforce the political pressures on themselves—pressures that lead them to extol arms control, accommodate to achieve agreements, and then pretend tha bad arms control is good arms control. Those same pressures are then often brought to bear to oppose necessary strategic programs and proper levels of defense funding.

### STATUS OF U.S. FORCE MODERNIZATION

The primacy of the arms control process to date has had the deleterious effect of lowering the standards of strategic force survivability while simultaneously establishing itself as the "centerpiece" of U.S. defense planning and national security policy. As such, U.S. force modernization is portrayed as an unnecessary arms "build-up", instead of what it actually is: a reaction to threatening Soviet programs and an effort to realize a primary goal of arms control, the enhancement of strategic stability.

Ironically, it has also lowered the standards originally set for arms control. What an agreement accomplishes, or does not accomplish, in terms of national security has become far less important than merely reaching an agreement. It has led to a regrettable view expressed by a recent envoy of the White House to Moscow on arms control (retired General Brent Scowcroft): "any kind of an agreement that we have with the Soviet Union is going to be in our interest."

These arguments can be summarized as follows: (1) without arms control agreements, an arms race will occur; while agreements can prevent such a race; (2) without arms control, we risk losing what we have already gained through previous agreements; (3) Soviet violations, to the extent they exist, are not strategically significant; (4) such matters should be kept out of the public forum so as not to poison the arms control atmosphere; (5) the U.S. has no effective response that would benefit it more than the Soviets.

These arguments can be easily and quite logically repudiated. First, a Soviet arms race of unprecedented magnitude has occurred in the presence of arms control agreements. Current Soviet arms consume at least 15 percent of Soviet GNP compared to some 6 percent for the United States. In fact, it is difficult to imagine what more the Soviet Union could do above and beyond what it is already doing in its continual development and deployment of conventional and nuclear armaments.

The only dampening effect of arms agreements and the arms control process has been unilaterally on the West, the side that does not need agreements to show restraint. Arms control is inherent in Western democracies, with or without negotiated agreements. Arms are controlled and limited by our traditional values, by our political and budgeting processes, and by the influence of the media and of public opinion.

The ubiquitous arms control process has permeated all levels of official strategic thought and subsequent force and policy planning, to the point that force modernization specifically, and strategic planning in general, have become hostage to the perceived need to reach some form of agreement, however loose, with the Soviets. This dangerious development is evident in the findings and recommendations of many recent commissions, panels, and defense planning reports, which use the hope or promise of arms control as the primary planning tool to forge defense modernization as well as U.S. defense policy.

### ARMS CONTROL FEVER

This unsubstantiated faith in the process of arms control has been aptly labelled by former director of the Arms Control and Disarmament Agency Eugene Rostow, as "arms control fever." This fever is nowhere more apparent than in the recent opposition to the President's submittal of the interagency report on Soviet noncompliance.

The White House report of Soviet activities that contravene existing arms control agreements has met with ardent criticism by arms control enthusiasts despite its having been mandated by law. In their criticism are found a number of arguments used repeatedly to defend the arms control process and to reduce the significance of Soviet activities that call into question this very process.

The logic of the second argument, that the U.S. will risk losing all it has gained via previous arms control agreements, is curious given the adverse change in the strategic balance that has occurred during the "SALT decade," and the obvious implications of the Administration's report on Soviet arms control violations. What has the U.S. gained that is so worth preserving that we must condone Soviet misbehavior?

Concerning the third point, the only way in which the cited violations can possibly appear strategically insignificant is in light of all that the Soviets are doing both in and outside of the constraints of arms control agreements. That is, militarily significant violations may seem relatively insignificant precisely because of the magnitude of unconstrained Soviet strategic modernization. When the aggregate impact of violations is added to Soviet arms programs unaffected by arms control, the resulting situation not only casts doubt upon the utility of the arms control process, it also represents a dramatic threat to American security.

Nevertheless, I do believe that certain Soviet actions in violation of existing agreements do carry important potential military implications in addition to the profound political implications of Soviet cheating.

### CHEMICAL WEAPONS

The military implications of the use of lethal toxins and chemical weapons should be clear. What is even more ominous is the possibility that the employment of such agents in Southeast Asia, Afghanistan, and the Middle East may be largely testing for future and more massive use of such agents by Soviet forces.

Violations such as those associated with the ABM Treaty certainly carry potentially profound strategic significance. The Soviet Union is in the process of laying the basis for a rapidly deployable ABM system, which could be very effective against a U.S. retaliatory attack especially already reduced by a Soviet attack; and it is also upgrading its air defense system, giving it capability against ballistic missile warheads as well as against bombers and cruise missiles. The effect of these actions could greatly interfere with U.S. targeting requirements and thereby degrade the U.S. deterrent.

## STRATEGIC OFFENSIVE FORCE DEVELOPMENT

In the area of strategic offensive force development, Soviet activities seem to point to a pattern of developing an even larger and less locatable strategic reserve force than the Soviets already possess. The violation of the one new type ICBM rule, of provisions pertaining to the mobile SS-16, and extensive telemetry encryption that impedes verification point to the development of new ICBM capabilities, including a mobile and/or concealable component essentially immune to U.S. targeting, which could serve as an awesome reserve force. Other violations, which may be emerging, will also improve offensive force capabilities in submarine-launched ballistic missiles, bombers, and cruise missiles.

The fourth argument that the U.S. should not make Soviet violations public but should only pursue Soviet noncompliance in private channels attacks the very essence of an open democracy as well as the President's obligation to the people. It also ignores the record of repeated but futile U.S. efforts to deal with Soviet actions in private channels. Attempts to explore issues of Soviet noncompliance with arms control agreements in the Standing Consultative Commission (SSC) and through a number of addition bilateral diplomatic channels have met with stubborn Soviet refusal to acknowledge, clarify, or cease questionable activities.

Continuous Soviet intransigence combined with Congressional action requiring the President to report on these violations have left no satisfactory alternative to bringing these matters to public light. It is paradoxical that while the proponents of traditional arms control have encouraged public discussion of arms control and nuclear weapons, they now seek to withhold information from the public that is central to this discussion. If there is a true interest in conducting an honest and comprehensive debate, should the public not be made aware of Soviet duplicity and noncompliance with solemn commitments before we embark upon further arms control negotiations?

As to the fifth point, there are U.S. responses available, but even were there none completely effective in and of themselves, public revelation of Soviet circumvention of any agreements must contribute to a more realistic Western attitude toward the Soviet Union, and this might enable more effective Western security policies.

## IMPROVED TREATY DRAFTING

In his coverletter to Congress accompanying his report, President Reagan claimed that, "the United States would work toward 'better treaty drafting' in future negotiations and more workable verification provisions in all treaties." The SALT agreements are replete with examples of loopholes taken advantage of by the Soviet Union. Of course, this is a direct result of the Soviet desire to secure loopholes in order to protect military programs that might otherwise be constrained.

The Geneva Protocol and Biological and Toxin Weapons Convention are examples of tightly worded arms control agreements that the Soviets have still managed to violate on several occasions. Therefore, while welcome, tighter wording is not necessarily the final solution.

More workable verification provisions would also be in the best interest of the United States, particularly in light of the Reagan Administration's attempt to shift nuclear arms control away from ineffective limitations on launchers and in the direction of more meaningful limitations on such parameters as warheads, missiles and throwweight. Serious verification inadequacies apparently already exist as evident in the fact that some two years elapsed before the U.S. intelligence community discovered the massive Abalakovo radar complex.

However, increased verification capability might only enhance our knowledge of that which we already knew: the Soviet Union is systematically violating, circumventing, and ultimately defeating the intent and purpose of a number of the most serious arms control agreements. Soviet arrogance is demonstrated by the fact that the Soviets clearly knew that we would eventually find the Abalakovo radar, and identify it as a violation, and still the Soviets were not deterred from this violation. The objectives of arms control were predicated on mutuality of interest between the United States and the Soviet Union. If, as the Soviets have indicated by their actions over the course of the last decade, no such mutuality exists, then there is no amount of verification capability or tightness of written definition that will deter noncompliance.

Although the above improvements will certainly be welcome additions to the arms control process, they are not enough. What emerges as the most important lesson is the need for a firm U.S. compliance policy. If arms control is to be at all effective, then the United States must seriously address the coherent formulation and implementation of an effective compliance policy. Therefore, the fundamental question, "After Detection—What? although postulated over 20 years ago, is still timely today.

The importance of Soviet violations has been emphasized by President Reagan's three predecessors and a number of the highest officials in each respective administration. President Carter unequivocally assured the American public that, ". . . a violation of this agreement (SALT II) would be so serious as to give us grounds to cancel the treaty itself." No arms control agreement can contribute to U.S. security unless we have confidence that the Soviet Union is abiding by its terms. To have such confidence requires means to discourage Soviet noncompliance beyond monitoring and verification capability. The United States has so far not fashioned measures adequate to deter the U.S.S.R. from cheating. The United States has never applied, or apparently even seriously considered, safeguards or sanctions to hedge against or respond to Soviet noncompliance with arms control agreements. It is somewhat ironic that proponents of traditional arms control concepts who argue that the Administration should "bury" the current evidence of Soviets cheating are, in effect, damaging the very process they hope to preserve. This has the practical implication of encouraging U.S. inaction, which concurrently diminishes the deterrent to noncompliance.

Democratic governments are likely to act more swiftly and effectively if supported by public opinion. Support from the public will only be feasible when it understands the complexities and purpose of any agreement, U.S. policy toward noncompliance or circumvention, and the range of possible sanctions applicable in response to any violation.

### ACTIONS TAKEN BY ADMINISTRATION

The role of educator must be taken by the President. The Reagan Administration should confront Soviet violations with a strong public information program which emphasizes the Soviet attitude toward arms and arms control agreements and the necessity for the United States to have a determined compliance policy. The realities of arms control and of the Soviet threat should be clearly explained, and arms control fever cooled. The Administration should take the violations report as an opportunity to live up to its campaign promise of a new arms control realism.

As such, the Soviet arms control "walk out" should be viewed in a positive light as it represents an opportunity to place before the American people the question of the efficacy of future arms control. After 15 years of almost continual "arms control fever", surely a brief hiatus in which to re-evaluate US priorities cannot be harmful.

The Soviet walkout from the START and INF talks is no disaster. To the contrary. Given the arms control record, Soviet unilateral suspension of arms control talks might even increase the safety of every American. Rather than considering new concessions to induce the Soviets to return to the negotiating table, the US should declare that it has now suspended arms control negotiations with the Soviet Union until it ceases violating and defeating the purposes of existing agreements and surrenders the unilateral advantages it has achieved by such actions.

If the arms control process is to be retained, safeguards should be prepared as effective responses to future noncompliance, and even punitive measures should be made available to show the seriousness with which the United States intends to approach future noncompliance.

To affect such a compliance policy, the United States must be willing and able to respond quickly to Soviet violations with any number of predetermined sanctions commensurate with the seriousness of the breach. The Soviet leadership must clearly understand that whenever they violate a treaty some form of compensatory measures will be taken by the West, for if there is any question as to the credibility of the response, we will instead only be encouraging further Soviet noncompliance. Such compensatory measures should include contingency plans for substantially increased military spending, new programs, and accelerated programs, all of which should be authorized by Congress at the time of U.S. approval of any arms control agreements.

As a start (no pun intended), the United States Government must insist that the Soviet Union cease all practices in violation of, or noncompliance with, existing agreements, and void itself of the fruit of those practices. This will require that the Soviets dismantle the corresponding programs and systems such as the Abalakovo radar, certain other ABM and air defense systems components, the SS-25 and SS-16, and all CBW facilities and stocks.

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I am sure that fertile minds can come up with many additions to these suggestions. But the main point is that there must be a strong American reaction to Soviet arms control violations.

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If however, the President misses this opportunity and the arms control process is permitted to continue unabated, we may find ourselves in the not too distant future confronting the Soviet Union with little more than hope. And as Pericles noted in his funeral speech, "hope amounts to no more than, the strength of helplessness."

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## DOWNPLAY OF TREATY VIOLATIONS

Senator McClure. Thank you very much, Dr. Douglass.

I wonder if you might attempt to answer a couple of questions for me, recognizing that this is not your paper, but nevertheless recognizing that its your background and your expertise.

Dr. Van Cleave set forth, beginning at page 2, that there has been a puzzling attempt to downplay the report on treaty violations. Could you characterize its extent, and perhaps its reasons?

Dr. Douglass. The reason, I suspect, is a concern that it will interrupt the arms control process. Certainly, the minute you bring forth a wide ranging set of violations, significant violations of every single arms control treaty, it has to bring into question the entire process that we have been following.

My suspicion is that the reason for downplaying it would be that those portions within the media, the bureaucracy, the arms control community, correctly assess its potential impact and do not like to see their process changed. The report challenges that process.

Senator McClure. Could I tie that in with the statement on page 4, which I would ask you to expand upon a little?

At the bottom of page and the top of page 5, "Soviet actions, in effect, violated the agreements—then allow me to emphasize the balance of the sentence—as they had been represented to the Congress and the American public by the administration."

That implies that the administration has deliberately represented to the Congress and the American public an understanding of agreements that they themselves may not have really believed.

Dr. **Douglass**. The interpretation I would place on that is slightly modified from that, which is that the agreements as they turned out, turned out to be not what was represented to them, but not that there was any ill will in the representations that took place.

I think that the people had fond hopes that what they felt would happen would indeed happen, and it indeed did not happen that way.

### VERIFICATION

Senator **McClure**. Perhaps I was interpreting according to my own view. Let me give you one illustration, verification, as an example.

Did those who negotiated agreements really believe that they had the degree of verifiability which was then represented to the American public, or did they find it necessary to guarantee verifiability in order to get the American public and the Congress to accept the agreements?

Dr. **Douglass**. Certainly, the verification issue as I have seen it has been one that if you didn't have verification as a general rule, you didn't have a treaty. So you have to go into any treaty saying, I can verify it, with one exception and that is the Chemical and Biological Treaty where they said that it was not significant.

Senator **McClure**. Then if you have to have verification in order to get an agreement, you have to convince people that the agreement carries sufficient verification.

Dr. **Douglass**. That is absolutely correct.

Senator **McClure**. It also then means that you cannot confess later on that there is verification because it casts doubt upon the credibility of your arguments.

Dr. **Douglass**. The verification as it was put forth was always carefully hedged in the sense of being adequate or being sufficient. Nobody ever said, to my knowledge, that we can verify everything. The language was always very, very loose and very sloppy in that regard.

If I might just add one additional thought.

Senator **McClure**. Yes.

Dr. **Douglass**. It depends to a considerable degree on what you consider significant. There is a very large segment that would say that anything over 100 missiles is insignificant because 100 is all you need. There has been a very strong group of people who said, no country needs more than 100 missiles.

Senator **McClure**. Would that same group of people say that the arms control agreements are worthless because they don't limit them to less than that?

Dr. **Douglass**. I think that same group of people would say that the arms control agreements are only a first step, and they are only useful in that they keep us talking. But insofar as limiting missiles to 2,000 or 3,000 or 15,000, that is relatively irrelevant as is verification to that group because there are so many.

Senator **McClure**. So that the arguments come from different groups of people who have different motivations.

Dr. **Douglass**. And different perceptions of the problem, yes.

## THRESHOLD TEST BAN TREATY

Senator McClure. Verifiability, again, the Threshold Test Ban Treaty, most people will admit that there is some ambiguity in the results. We don't have down-hole instruments that will verify what actually happened on any of the tests. Therefore, we infer from evidence, and inference is not an exact science; therefore, there is some doubt as to what it means.

Then others will say, until you can prove beyond a doubt, you can't charge that there is any violation; therefore, verification in itself makes the process impossible for enforcement.

Dr. Douglass. It is very difficult. As a matter of fact, while the best judgments are brought to bear on such estimates, there is a tendency that when answers don't come up agreeable, that even the measuring stick used to measure the agreements is allowed to change.

## U.S. ACTIONS FOLLOWING DETECTION OF VIOLATIONS

Senator McClure. The paper makes reference to a dilemma—maybe not first articulated but certainly eloquently articulated 20 years ago by Fred Ikle in his article, "After Detection—What?"

Dr. Van Cleave's paper includes a number of specific steps that he thinks ought to be undertaken with respect to the answer to that question.

I wonder if you could, for the record, supply us with your own set of recommendations for "After Detection—What?" because I think that that is the dilemma that we face now. It is not a question of whether we know there has been violation; it is a question of what do we do about it.

Dr. Douglass. It is a very difficult question.

I was asked about 2 years ago: What do you do to force compliance in the Chemical and Biological Treaty area? You spend many hours just sort of looking at the ceiling and trying to think of what it is you can do.

Certainly there are sanctions that you could do. I guess one can stop imposing self-constraints. Perhaps one of the things that one should do is question the whole process, again, because you can't force compliance per se. About the only thing that you can do is say: Let's not let our own security be artificially determined by some other process that isn't working.

Senator McClure. Thank you very much for your testimony, and your willingness to come here and give Dr. Van Cleave's statement.

My sincere thanks to Dr. Van Cleave for having gone to the trouble of preparing the statement and making it available to us. My sympathy for the broken ankle.

Dr. Douglass. I am sure that he could use that.

Thank you very much.

Senator McClure. Before resuming with the next witness, I will recess just long enough to run to the floor to cast a vote.

The committee will stand in recess for 10 minutes.

[Recess.]

Senator McClure. Again I apologize for the delay, but the affairs on the floor of the Senate don't always accommodate themselves to either witnesses or subcommittees.

Our next witness is Adm. Noel Gayler, U.S. Navy (Retired). Admiral, would you please proceed.

## AMERICAN COMMITTEE ON EAST-WEST ACCORD TOWARD A GENERAL NUCLEAR SETTLEMENT

### STATEMENT OF ADM. NOEL GAYLER, U.S. NAVY (RETIRED)

Admiral **GAYLER**. My name is Noel Gayler. I served 45 years in the U.S. Navy and in three wars. I have been the Assistant Chief of Naval Operations for Development, the Deputy Director of the Joint Strategic Targeting Planning Staff, the Director of the National Security Agency, and the Commander in Chief, Pacific.

Since my retirement I have been associated with "think tanks," laboratories, and scientific activities in defense, including membership in the Defense Science Board. I am presently directing the efforts of the American Committee on East-West Accord toward a general nuclear settlement with the Soviet Union, to be joined at an appropriate time by the other nuclear powers.

### U.S. VERIFICATION CAPABILITIES

I am happy to be able to bring some good news—that our verification capabilities are in good shape, and that constructive engagement with the Soviets toward our mutual security is entirely possible.

I must also, however, share some major concerns, which I know concern you also:

In spite of the declaration of both the President of the United States and the Soviet leaders that there can be no winners in a nuclear war, each side is attempting in its programs to put nuclear forces of the other side at risk. Nothing could be more futile, because such a capability, of course, only gives an incentive for the other side to shoot first, fire out on warning or, even worse, to preempt.

Buildups and threatening technical developments continue on both sides.

Both sides are moving to disparage existing controls. You have heard a lot of that today, and the Soviets are doing it, too.

Arms control negotiations are suspended or unproductive.

Public denunciation has superseded quiet problem solving over compliance with arms control agreements.

While the President has repeatedly called for arms control, Soviet cheating has become a war cry to block any future agreement.

This is a dangerous state of affairs—dangerous to the United States, to our allies, and to the world. It is no consolation that it is no less dangerous to the Soviets.

To solve the problem, we have to understand the issues and the facts.

### VERIFICATION

We need to consider both verification, the intelligence that supports it, and compliance. We must evaluate the effects of both on arms control and the security that results from it.

I would like to point out that there are three kinds of verification, or three ways in which we use the word "verification":

Verification of the legal and literal requirements of every word of an agreement.

Verification sufficient for mutual political confidence and internal consensus.

Verification—in President Nixon's words—to detect any violation large enough to risk our security, in ample time to respond.

This latter kind—what matters in the real world—should guide both our political confidence and the legal wording of our treaties and agreements.

I would like to examine the probability of violations, and their military significance. One has to point out that verification is only part of the intelligence process. With or without agreements, we must keep an eye on Soviet developments. Verification provisions simply make it easier.

### U.S. INTELLIGENCE PROGRAMS

We should understand that intelligence is never black or white. There is perhaps a 1-percent chance that we have a mole in the Kremlin, and we know everything that goes on there. There is a 99-percent chance that if the Soviets build a replica of the Pentagon on the banks of the Moscow River, we will get a photograph of it. But only a truly enormous change in Soviet nuclear forces would make any difference in the consequences of a nuclear exchange.

Senator, if you do the strategic nuclear talking, as I did professionally for a couple of years, you find that it makes a difference in casualties whether you are talking of cities or not, it makes a difference whether you fuze for fallout or you don't, it even makes a difference which way the wind blows on a given day. But if you do the calculations, you can't find 1,000 missiles, more or less, on either side, they are drowned in the noise of the results. Anything big enough to make a difference to our security, we will surely find and, therefore, there is no potential for a surprise breakout.

It should be cause for public reassurance, rather than alarm, that we do find and report suspected violations in such comprehensive detail.

We have made, and quite recently, some spectacular technical improvements in our ability to evaluate underground tests, and, of course, to detect above-ground explosions. We have an excellent handle on weapon systems development and deployment, including testing of antisatellite weapons. We can follow force deployments and evaluate physical compliance with doctrinal commitments, such as no first use. Given basic agreements already met in principle, we can monitor fissile material production and potential diversion. We have an even better grip on weapon-grade material.

I am prepared to discuss all of those methodologies within the limits of an open hearing, but I want to call particular attention to the new breakthroughs in seismic monitoring in which an investigator, Jack Everdon of the U.S. Geological Survey, has demonstrated the travel and the capability to detect the high frequency components of both earthquakes and underground nuclear explosions.

The consequences of that are spectacular because they are unambiguously different. The ambiguity that has always been a problem for us no longer exists.

### SYNTHETIC APERTURE RADAR

In the same way, I want to call attention to the spectacular capabilities of what is called synthetic aperture radar, a way of, if you will, simulating radars of enormous dish size by using the passage of satellites to take successive looks with the radar and in that way build a picture as if the radar had the aperture equal to that passage. That enables radar pictures of quite extraordinary clarity, and removes the problem of cloud cover in such elements as the deployment of forces, and many other things of interest.

There are other similar breakthroughs, but the total of them says that we can be quite sure of knowing what is going on.

Verification can never be absolute, but can always be adequate. What we pick up from satellite photographs is only the tip of the iceberg. Unfortunately, necessary security precludes discussing other methods, but they are far more effective than the public realizes, and there is excellent progress in technology as I have said.

### SUSPECTED VIOLATIONS REPORTED TO CONGRESS

What of the suspected violations that the President has publicly reported to the Congress?

Of the seven, two relating to chemical and biological weapons use, and to notification of military exercises, have nothing to do with nuclear arms. In three more, the purported violation with respect to the SSX-25, SS-16, the 150-kiloton test limit, the evidence is ambiguous.

I might remark here that it is quite fascinating to see how the adjectives change as the reports move up from the analyst through intermediate levels to public statements.

What the analyst says is undetermined becomes likely at the next level, and it becomes probable at the next level, and then you find somebody saying that the Soviets certainly are doing this and that. One thing that I would really recommend is to go back to the analyst level and find all of his concerns and the way he carefully hedges his conclusions.

The physical facts are at issue in all three of these things. In the remaining two cases, the Krasnoyarsk radar, and telemetry encryption, the facts are clear, but the interpretation is not.

Meantime, the Soviets have not been idle. We stand accused of six current violations, over disputed interpretations of various agreements and understandings. I should make it plain that I don't think that any of these Soviet allegations have any validity, except for the one about covering Minuteman, which we have already taken care of long ago. In only one case are the physical facts at issue.

I would like to assert now that the careful process of private consultation in the SCC to resolve ambiguities and preclude further questionable actions has been effectively replaced by this competitive public shouting. The Soviets simply do not take us seriously when we go public with accusations. They regard that as the opening of a propaganda battle.

### CHEMICAL WARFARE VIOLATIONS

The striking fact about all of these accusations, Soviet and American alike, is that none of them make the slightest military or security difference. Let me illustrate.

The CW violations—the chemical warfare violations—the evidence is contentious, but the military significance is not there. What it says is that the Soviets may have diverted a very small half-percent of a chemical stockpile to improper, illegal and inhumane use, and that should be condemned, if it happened. But it does not affect the Soviet capability for chemical warfare one way or the other, and it does not affect our security position.

Similarly, the case about bacterial warfare seems to be based principally on the anthrax outbreak in Sverdlovsk in 1978, one incident. The reason that we don't need to take it seriously is that we have unilaterally renounced biological weapons, not only for humane reasons, but for very good military reasons—they strike in both directions. They are not a usable military weapon.

### STATIONING OF S–16

The allegation about improper stationing of SS–16's at Plesetsk is inferential, it is quite old, and the intelligence community estimates are that it involves something between 20 and 50 missiles, not 200 or any significant number of missiles.

### SSX–25 VIOLATION

The SSX-25 alleged violation is inferential. It is said to be beyond certainly limits bigger than the 13, but a more careful scrutiny discloses that we don't know within rather large limits really how big the 13 is. So the question of how much it exceeds it is unproved. In any case, in the presence of SS–18's, SS–19's, or the submarine missiles, it really doesn't make that much difference.

### ZAPAD-81 EXERCISES

With respect to the failure to notify on Zapad-81 exercises, that would be of great military significance. The Soviets claim that they disclosed it in a news story, but in any case, as often happens, without acknowledging a violation, they quit making the violation, and that, I think, is one of the constructive outcomes of the SCC dialog.

### KRASNOYARSK RADAR

The Krasnoyarsk radar evidence is solid. The explanation, the Soviets have not given us, but it seems to me to be pretty clear, and that is that they couldn't build it where it belongs, on the northeastern tip of Siberia, because they have no communications out there. You can only get there with heavy materials for about 6 weeks of the year, going around the Northern Sea route. I think that they built it where they could build it.

It turns out, ironically, that it is not in a good place for ABM purposes, it is too close to the missile fields. They don't get the requisite warning, and the requisite prediction of impact point that they could use if they had an ABM system, which they don't.

The encryption is conclusive, the argument is legal. Legal specialists will come down on both sides of the question as to whether the Soviets were or were not prohibited.

The Soviets themselves say: if you will tell us what you need, we will give it to you. We say, no, we are not going to do that, if we do that, we will reveal intelligence methods.

I think that any elementary student of physics can figure out what it is that we need in the way of accelerations in order to figure out whether there is a bus, how many warheads are dropping off, and that sort of thing.

So while I am normally very sensitive to any implication of revealing intelligence methods, in this case I think it is misplaced, and we ought to call their bluff on that one,

That, I think, is a fair wrap-up of the seven violations that are suspected.

### COMPLIANCE QUESTIONS

Going on, what is wise policy? I think that it is true that compliance questions are bound to arise. No one can foresee every eventuality. There is always temptation on both sides to skate along the edges—to pursue everything that is not expressly forbidden.

Churchill and many others have called for telling the truth to the public. I think we should tell the truth to the public, too, when we are sure of our case. In my judgment, we have not been sure of our case in these elements.

We should both revert to quiet nonpolitical discussion in the SCC—iron out these problems rather than prosecute. The reason for that is that public accusations close off solutions.

We should shape further treaties and understandings with the utmost care, so that they concern only thing that matter, and not things that do not. This is the best way to protect the integrity of the arms control process.

We should, of course, not enter into agreements if they are not in our interest. That they should also be in the interest of the adversary should not surprise us. No viable agreement is possible otherwise.

If we value the agreement, then we should take the necessary diplomatic measures to preserve it. Only when diplomacy fails and there is security significance to a compliance issue should we make carefully measured proportional responses.

I find it fascinating to see that some of our current strategic weapon programs are not being justified, not on the basis of their military usefulness, but on their usefulness as retaliation against the Soviets.

Finally, we should not lose our sense of proportion. We must not imperil arms control, the only road to nuclear security, over technical and relatively trivial issues. We are not dealing with a deliberate treaty violator, but with an extraordinarily difficult negotiating partner. No doubt he regards us in the same light. But it is our highest interest to persist, as it is in his. There are no risks we run in carefully crafted nuclear arms agreements comparable to the risk without them.

I note that the President has asked for agreements. He has asked for agreements to reduce the risk of nuclear war, to enhance the security of the United States, of our allies and of the world. He has asked for effective verification and compliance. I suggest that we support the President and not sabotage him.

[The prepared statement of Admiral Gayler follows:]

### PREPARED STATEMENT OF ADM. NOEL GAYLER, U.S. NAVY (RETIRED)

My name is Noel Gayler. I served forty-five years in the U.S. Navy, and in three wars. I have been the assistant chief of Naval Operations for development, the deputy director of the Joint Strategic Targeting Planning Staff, the director of the National Security Agency and the Commander-in-Chief, Pacific. Since my retirement I have been associated with "think tanks," laboratories, and scientific activities in Defense, including membership in the Defense Science Board. I am presently directing the efforts of the American Committee on East-West Accord toward a General Nuclear Settlement with the Soviet Union, to be joined at an appropriate time by the other nuclear powers.

I am happy to be able to bring some goods news—that our verification capabilities are in good shape, and that constructive engagement with the Soviets toward our mutual security is entirely possible.

I must also, however, share some major concerns, which I know concern you also:

In spite of the declarations by both the President of the United States and Soviet leaders that there can be no winners in a nuclear war, each side is attempting in its programs to put the nuclear forces of the other side at risk.

Buildups and threatening technical developments continue on both sides.

Both sides are moving to disparage existing controls.

Arms control negotiations are suspended or unproductive.

Public denunciation has superseded quite problem-solving over compliance with arms control agreements.

While the President has repeatedly called for arms control, "Soviet cheating" has become a war cry to block any future agreement.

This is a dangerous state of affairs—dangerous to the U.S., to our allies, to the world. It is no consolation that it is no less dangerous to the Soviets.

To solve the problem, we have to understand the issues and the facts.

We need to consider both verification, the intelligence that supports it, and compliance. We must evaluate the effects of both on arms control and the security that results from it.

There are really three kinds of verification:

Verification of the legal and literal requirements of every word of an agreement.

Verification sufficient for mutual political confidence and internal consensus.

Verification sufficient—in President Nixon's words—to detect any violation large enough to risk our security, in ample time to respond.

This latter kind—what matters in the real world—should guide both our political confidence and the legal wording of our treaties and agreements.

Verification is only part of the intelligence process. With or without agreements, we must keep an eye on Soviet developments. Verification provisions simply make it easier. We should understand that intelligence is never black or white. There is perhaps a one percent chance that we have a "mole" in the Kremlin, and know everything that goes on. There is a ninety-nine percent chance that if the Soviets build a replica of the Pentagon on the banks of the Moscow River, we will find it. Only a truly enormous change in Soviet nuclear forces would make any difference in the consequences of a nuclear exchange. Anything big enough to make a difference to our security we will surely find. There is no potential for a surprise "breakout."

It should be cause for public reassurance, rather than alarm, that we do find and report suspected violations in such comprehensive detail.

We have made spectacular technical improvements in our ability to evaluate underground tests, and of course to detect above-ground explosions. We have an excellent handle on weapons systems development and deployment, including testing of antisatellite weapons. We can follow force deployments and evaluate physical compliance with doctrinal commitments, such as no first use. Given basic agreements already met in principle we can monitor fissile material production and potential diversion. We have an even better grip on weapons-grade material.

Verification can never be absolute, but can always be adequate. What we pick up from satellite photographs is only the tip of the iceberg. Unfortunately, necessary security precludes discussing other methods, but they are far more effective than the public realizes. And there is excellent new progress in technology.

What of the suspected violations that the President has publicly reported to the Congress?

Of the seven, two (chemical and biological weapons use, notification of military exercises) have nothing to do with nuclear arms. In three more, (SSX 25, SS16, the 150 KT test limit) the evidence is ambiguous. The physical facts are at issue. In the remaining two cases (Krasnovarsk radar, telemetry encryption) the facts are clear but the interpretation is not.

Meantime, the Soviets have not been idle. We stand accused of six current violations, over disputed interpretations of various agreements and understandings. In only one case (U.S. nuclear testing) are the physical facts at issue.

The careful process of private consultation in the SCC to resolve ambiguities and preclude further questionable actions has been replaced by competitive public shouting.

The striking fact about all these accusations, Soviet and American alike, is that none makes the slightest military or security difference.

What is wise policy?

Compliance questions are bound to arise. No one can foresee every eventuality. There is always temptation on both sides to skate along the edges—to pursue everything not expressly forbidden.

We should both revert to quiet nonpolitical discussion in the SCC—iron out problems rather than prosecute. Public accusations close off solutions.

We should shape further treaties and understandings with the utmost care, so that they concern only things that matter, and not things that do not.

We should of course not enter into agreements if they are not in our interest. That they should also be in the interest of the adversary should not surprise us—no viable agreement is possible otherwise. If we value the agreement, then we should take the necessary diplomatic measures to preserve it. Only when diplomacy fails and there is security significance to a compliance issue should we make carefully measured proportional responses.

Above all, we should not lose our sense of proportion. We must not imperil arms control, the only road to nuclear security, over technical and relatively trivial issues. We are not dealing with a deliberate treaty violator, but with an extraordinarily difficult negotiating partner. No doubt he regards us in the same light. But it is in our highest interest to persist, as it is in his. There are no risks we run in carefully crafted nuclear arms agreements comparable to the risks without them.

### EFFECT OF SOVIET CHEATING ON FUTURE AGREEMENTS

**Senator McClure.** Thank you very much.

I am one who repeatedly called for a discussion before the American public of what we do know, and the limitations of our knowledge.

I am a little disturbed by what you say on page 2 that "Soviet cheating has become a war cry to block any future agreement," because many of us who want the public to understand what Soviet cheating is and what it means, also want us to take a look at what it means to our security. What it means as well as what it does not mean.

I don't see it as being a war cry to block future agreements, although some may use it that way, as much as it is, in my view, a building of a credible base upon which negotiations can continue and credible agreements can be made.

**Admiral Gayler.** I think I would agree with that, Senator.

What it says to us is to craft the agreement so that we talk about verification of things that matter, and not verification of things that don't matter.

**Senator McClure.** That bothers me, and I want to get to that. Understand your point, I think, but I can't apply it to specific cases. You have indicated—I think I interpreted correctly—that we can't really verify the Threshold Test Ban Treaty with any very great limits of accuracy, and in any event, it doesn't matter whether they violate it or not.

Admiral **Gayler**. No; I don't think I said the second part.

I point out that there is a very clear remedy to the problem of the Threshold Test Ban Treaty, and that is to negotiate a Comprehensive Test Ban Treaty which we would certainly be able to verify down to very small explosions.

Senator **McClure**. If we are unable to negotiate that, what do we do, simply repudiate the TTBT? Do we simply refuse to be bound by it pending the negotiation of a comprehensive treaty?

### SEISMOLOGICAL VERIFICATION

Admiral **Gayler**. We do what we have already done, Senator, as I alluded to earlier. We are progressively improving our capability for seismological verification. The second thing that we might do would be to ratify that treaty, and if we ratified the treaty, the Soviets have said that they will give us the seismological information that we require to sharpen up.

Senator **McClure**. But they will not permit us to acquire it ourselves. They will give us what they will give us. Is that not the real essence of their offer?

Admiral **Gayler**. We don't know. So far as I know, the Soviets have indicated some willingness to entertain the idea of unmanned seismic detection stations on Soviet soil at places of our choosing.

We should see if they will come through with it. This may be propaganda, but it may be real. If we get that, and if we are willing to reciprocate in Nevada, then we will both have a handle on this question. My favorite solution is to negotiate no tests.

Senator **McClure**. Let me hypothetize a question. Assume for a moment—I am not asking you to take it for a fact, but if it were a fact—that the tests that they have been running at their underground site already exceed the threshold test limits—I guess we would have to say that this is a possibility, we don't know for sure—and they would then permit us to put seismic devices in the midst of their field, all they have to do is to make sure that the weapons that they test in the future are no larger than they now are, and we would simply verify whatever the current situation is, would we not?

Admiral **Gayler**. I wouldn't be able to answer that in the physical world without more careful thought.

I think that if we emplaced several stations, we would be able to characterize the underlying geology with enough accuracy so that we would not only know what was going on currently, but we would be able to reconstruct what happened in the past.

Senator **McClure**. We would be able to compare it to what the other evidence we have based upon current seismological information.

Admiral **Gayler**. We have all the information in terms of the things that we detected. What we don't know is the transmission characteristics of the underlying strata.

Senator **McClure**. That is right.

Admiral **Gayler**. If we are able to derive the transmission characteristics of the underlying strate, then we should be able to reconstruct what happened in the past.

Senator **McClure**. But the only way that we would do that is based upon the test in the future, and to compare our current methods against the on-site seismological statements, because we still don't know what is underneath the ground. We only know that there are explosions and that they have certain seismic effects.

Admiral **Gayler**. As I say, I am speculating, but I believe that if we had a number of stations, we would be able to determine the underlying structure and reconstruct what happened.

Senator **McClure**. I think you are in error in that statement. I would invite you to submit something further for the record, if you would like to do so.

Admiral **Gayler**. I will do the following, Senator. I will refer the statement to qualified people and ask them to supply a statement.

### SSX-25

Senator **McClure**. Second, it seems to me that you have said in the event of SSX-25 that we can't really know that it is a violation because it is either a new type or a new prohibited scale up of an old type. We can't know if it is a prohibited scale up of the old type because we don't know how big the old type was. Is that correct?

Admiral **Gayler**. Essentially, that is the argument; yes.

Senator **McClure**. Would I be correct also in saying that in your view it doesn't matter much anyhow.

Admiral **Gayler**. You would be correct, yes.

### SS-16

Senator **McClure**. The SS-16, whether it is deployed or not, is relatively unimportant to us because the numbers are small and, therefore, the additional nuclear deterrence or threat is relatively insignificant.

Admiral **Gayler**. Yes.

### TELEMETRY INFORMATION

Senator **McClure**. If I understand you correctly, you think that the telemetry information is not important to us.

Admiral **Gayler**. The statement I made about telemetry information was different. It was that the physical facts are they are denying the telemetry, and they are undisputable. The legal question of whether this is in fact a violation is disputable and is disputed by the eminent lawyers.

Senator **McClure**. It is a legal argument rather than a factual argument.

Admiral **Gayler**. The facts are there, and the argument is a legal one about whether it is a violation or not. The point that I made was that we have a clear remedy, which is to go back to the Soviets and tell them what it is that we want to find out, because they have challenged us to do that.

Senator **McClure**. Then they will tell us.

Admiral GAYLER. Then they will tell us.

Senator McCLURE. The information we will get from them will be both credible and trustworthy.

Admiral GAYLER. What they will tell us, if they agree to what they have previously said, is that they will restore the channels which give us the information we say we need.

Senator McCLURE. As a matter of fact, the national means of verification was a provision within the original treaty; was it not?

Admiral GAYLER. I believe so.

Senator McCLURE. The telemetry signals were the national means of verification referred to by both parties. Is that correct?

Admiral GAYLER. I can't go into the legalities of it, Senator, because I am not a lawyer. All I know is that credible and prominent lawyers dispute the legal case.

## ENCRYPTION

Senator McCLURE. Does the encryption impair the verification of the treaty?

Admiral GAYLER. The encryption impairs our capability to understand specifically what the nature of the object being tested is. As I suggested before, we have a clear remedy. We can ask for the information we need.

Senator McCLURE. We just write them a letter and say: Tell us what it was you tested, and give us all of the parameters. They will come forward with all of that information?

Admiral GAYLER. No; what we would do, I think, would be to SCC mechanism, and we would ask them to restore sufficient telemetry channels so that we can from them infer the characteristics of the Soviet weapon systems that we feel we need to know.

Senator McCLURE. You have made the statement at the end, which perhaps is most puzzling to me. You say: "We are not dealing with a deliberate treaty violator." On what evidence do you base that statement?

Admiral GAYLER. That is a judgment. I think the Soviets are skating around the edge, as indeed we do on occasion.

Senator McCLURE. It is a judgment matter, but is it based upon some factual information?

Admiral GAYLER. Of course, all judgments are based on facts, Senator.

Senator McCLURE. Would you share with me what that factual information is upon which your statement is based?

Admiral GAYLER. I think the Soviets are skating around the edge in their modification of the SSX-25. Whether it is in fact a violation or not, I don't think we know. I think it is unlikely that we will find out without improving the process.

Senator McCLURE. Is that the only evidence that you have?

Admiral GAYLER. You can take that for one.

Senator McCLURE. All right.

Admiral GAYLER. It is my judgment that the Soviets, and it is the judgment of people who know the Soviets much better than I do, that the Soviets are in fact stretching, skating around the edges, and I point out that we do that on occasion. For example, to assert that a silo was not new because the missile we propose to put in it, the MX, is encapsulated, is skating around the edges. It is not specifically a violation, but it is skating around the edge, and it is a U.S. position that has been taken in the past.

### MISSILE SILOS

Senator McClure. That is a little puzzling against the background of the treaty provisions and the interpretation which the Soviets have put on it before. Putting a larger missile back in the same hole was clearly permissible under the treaty. They have done that, and we have accepted that, have we not?

Admiral Gayler. The issue, I think, was digging new holes.

Senator McClure. I am not talking about digging new holes. I am talking about putting a new missile in an old hole.

Admiral Gayler. My recollection may be faulty, but I believe the issue was about digging new holes at the time.

Senator McClure. We, in effect, at one point said: You are putting bigger missiles back in the old holes, and that is a violation. They said: No, it is not a violation. It is not prohibited. We accepted that interpretation; did we not?

Admiral Gayler. Senator, I am not making the case that the Soviets are less likely to skate around the edges than we. I am simply saying that there are ambiguities in all of these things, and we should be prepared to deal with them.

Senator McClure. I understand that.

### PRIVATE CONSULTATION

Admiral Gayler. The way that you should deal with them is through private consultation.

Senator McClure. Admiral, I am trying to get at why you apparently trust them in terms of saying that they are not deliberate treaty violators, and your evidence was that we may be as bad as they are in some respects, and you referred to putting MX back in a silo.

Admiral Gayler. That was not the answer I gave to that question. That was in answer to a subsequent question, Senator. The answer I gave to that question was that there was ambiguity about what the Soviets were doing, and they undoubtedly were skating close to the edge.

It is my judgment, based on that, which I think is concurred in by Soviet experts, that they are legalistically skating close to the edge. The way to deal with the Soviets is specific, concrete agreements, not violations of the spirit of Camp David, or something like that.

Senator McClure. I understand that, but you related that skating around the edge to something similar to the United States putting the MX in an old missile silo.

Admiral Gayler. In a new missile silo, and justifying it on the basis that we were not really——

Senator McClure. In a new missile silo?

Admiral Gayler. Yes; I believe that was the issue at the time.

Senator McClure. I thought that you were talking about encapsulating them and putting them in an old hole, and saying that it was a new silo. Did I misunderstand you?

Admiral Gayler. Yes.

Senator McClure. What was your statement?

Admiral Gayler. I believe the issue at the time was whether the fact that the missile was encapsulated made it possible to dig a new hole for it. I may be mistaken, I am working from memory.

Senator McClure. Perhaps I should drop that for a moment, I don't seem to be getting anywhere with that because I don't know that we understand each other on it.

Admiral Gayler. I will say it more plainly, Senator.

Senator McClure. Please.

Admiral Gayler. I think that there are instances in which the United States has also skated close to the legal interpretation of our obligations.

Senator McClure. But does that get directly to the question that I asked about what evidence you have upon which you make your judgment that the Soviets are not deliberate treaty violators?

Admiral Gayler. Because I don't think that it is in the Soviet interest, because it is the consensus of the Soviet experts that I know, because I think it is supportable by what we know and see in the physical world of what the Soviets are doing.

Senator McClure. You are inferring it from their state of mind?

Admiral Gayler. I am inferring it from the three reasons that I just gave you, Senator.

Senator McClure. You believe that they could not believe that there is any value in violating a treaty?

Admiral Gayler. I believe that the Soviets would not believe it to be in their interest to destroy the arms control process by violations.

Senator McClure. Therefore, since it would not be in their interest to destroy the arms control process by violating, they will not violate.

Admiral Gayler. It lends credibility to my judgment, my estimate that what we are seeing is legalistic skating close to the edge and not deliberate violations.

### MILITARY SIGNIFICANCE OF TREATY VIOLATIONS

Senator McClure. Are there any violations of the treaty that you think would be militarily significant?

Admiral Gayler. Which treaty are we talking about?

Senator McClure. Any one of them.

Admiral Gayler. It is rather difficult to find ones unless they were very, very massive. You see, as I explained beforehand, the consequences of a nuclear exchange are quite insensitive to numbers, and they are quite insensitive to technology.

I think that our military security lies in quite different areas, Senator. It lies in our ability to control the seas and the air, and our ability to project and sustain forces, and our ability to defend ground in Europe, Korea, and elsewhere without resort to nuclear weapons.

I also believe that our preoccupation with those weapons is a principal reason that in some respects we are still deficient in real military requirements. My military judgment is that we should knock off this sort of stuff and get going on real military requirements for our security.

Senator McClure. The nuclear weapons are irrelevant to the control of the seas or the ground.

Admiral Gayler. Yes; that is right. I think they are not usable, and there is no sensible military use for nuclear weapons. I have said so repeatedly and publicly.

Senator McClure. Therefore, any attempt to deal with nuclear weapons is irrelevant to military balance.

Admiral Gayler. To military balance, yes, that is correct.

Senator McClure. I don't think I have any further questions. Thank you very much.

Admiral Gayler. Thank you.

Senator McClure. I understand Mr. Steinbruner was unable to remain and that he had given you his statement to present?

Admiral Gayler. Yes; would you care for me to read it, or perhaps submit it for the record?

Senator McClure. Whichever way you prefer, Admiral. I don't mean to denigrate his testimony by simply putting it in the record.

Admiral Gayler. I understand.

Senator McClure. As a matter of fact, it would be your desire, or his desire that it would be delivered.

Admiral Gayler. I think that he would like me to deliver it.

Senator McClure. All right.

## Brookings Institution

## STATEMENT OF JOHN STEINBRUNER, BROOKINGS INSTITUTION, PRESENTED BY ADM. NOEL GAYLER

### SEVEN AREAS OF SOVIET VIOLATION

Admiral Gayler. According to a fact sheet issued on January 24, 1984, the President has submitted a report to Congress reviewing seven areas in which there are reasons to suspect that the Soviet Union may have violated arms control arrangements.

The President's report selects these issues from a larger number of accusations that have been made in recent years and one must presume that the selection reflects the relative weight of the evidence. Since the evidence itself has not been presented and cannot be directly evaluated, independent judgments must necessarily proceed on the basis of that presumption.

The seven topics in the President's report have very different military implications and there are also important differences among them in the degree of certainty with which the violations can be affirmed or denied. For that reason, I would like to focus my comments on individual items in the report.

Let me note in general, however, that all of the alleged violations involve activity that would have a major effect on the balance of military capability only if developed well beyond anything yet observed. We are dealing with early and in most cases still ambiguous indications of possible Soviet intentions rather than questions of existing capability outside the bounds of what is allowed under prevailing arms control arrangements.

### KRASNOYARSK RADAR

The large radar under construction near Krasnoyarsk is the clearest case of a revealed intention that contradicts the provisions of the 1972 ABM treaty and, therefore, potentially constitutes a legal violation.

From public accounts of the construction site, the installation appears to have been designed to provide early warning of a U.S. ballistic missile attack. That is a legitimate purpose, but under the most obvious and direct interpretation of the treaty's provisions such a purpose requires that the installation should be located hundreds of miles from its actual position.

The Soviet contention that the installation is primarily intended for space tracking is not consistent with prevailing American technical assessment and is not likely to be accepted in the United States. Thus there is a definite problem that must be resolved.

One should note, however, that the established procedures for resolving such disputes—formal discussion at the Standing Consultative Committee—have hardly been exhausted. Since construction of the radar is apparently not expected to be completed for several years, time remains for dealing with the issue before actual operation of the installation creates an irrevocable violation.

The actual military significance of the radar near Krasnoyarsk appears to be quite marginal. Though it is possible to imagine the installation performing battle management functions that are prohibited under the treaty, it does not appear to be optimally positioned or designed for such a purpose.

It requires a great deal of technical imagination to infer from the installation any meaningful threat to the ability of current American ballistic missiles to perform their missions. Such an arrangement could be made only in the context of a large number of related activities throughout the Soviet Union.

Serious evidence for these related activities has not been defined or authoritatively suggested, and a pattern of this sort is not very plausible given that the inherent technical potential of the radar is quite limited. At the moment, therefore, the installation appears to violate technical provisions of the 1972 ABM treaty, but not its fundamental purposes.

### SSX-25 MISSILE

The development of the SSX-25 missile has much greater significant for U.S. security than the radar near Krasnoyarsk. The missiles allows an immediate upgrading of the 550 SS-11 missiles that in terms of individual boosters provide the largest component of the Soviet strategic forces.

Moreover, the SSX-25 appears to provide the basis for mobile ICBM deployments, a new category of strategic capability. Though opinions vary as to whether deployment of a single warhead mobile ICBM is desirable or undersirable in principle, there certainly are strong reasons to consider it undesirable as an immediate practical matter; notally:

First, the Soviet missile is nearly ready for deployment and there will be no American counterpart for several years at best;

Second, the Soviet Union has a larger available land area with the low population density necessary to undertake a mobile deployment;

Third, the Soviet Union can better control domestic political objections to the intrusion of mobile operations into normal activity.

These practical advantages in timing, in geography, and in political control give the Soviet Union rather than obvious short-term advantages in the deployment of this particular type of weapon.

Unfortunately, in my opinion, existing arms control arragements do not prevent the Soviet Union from exploiting the potential of the SSX-25. There is no inherent prohibition on using the missile to replace older and undoubtedly less capable SS-11 and well as SS-13 booster.

A mobile deployment on land was prohibited by the protocol to the SALT II treaty but so was deployment of cruise missiles on land. In support of our own deployment of cruise missiles in Europe, the United States has insisted that the protocol to the SALT II treaty lost all standing upon its original expiration date of December 31, 1981.

The provisions of the SALT II treaty itself, which prohibited the introduction of more than one new type of ICBM, define the term "new type" in such a restricted manner that it is technically quite feasible for the SSX-25 to meet the requirements of an allowed replacement for the SS-13. As such, it could be substituted for existing SS-13 and SS-11 launchers without violating the treaty.

The dispute as to whether the SSX-25 is in fact consistent with the requirements of whether it exceeds them to some degree is of relatively minor significance compared with the inherent permissiveness of the prevailing treaty arrangements.

The President's report does not assert a conclusive discrepancy between the SSX-25 and the SS-13 standard and the clear implication is that the available data are within the bounds of reasonable uncertainty that result from a relatively small number of observations and various measurement errors.

It is unlikely that discrepancies of this rough magnitude would mask features with extraordinary military significance. The missile's performance within the allowed bounds most likely approximates the performance it would achieve by violating the allowed parameters to the limited extent that is possible before the fact of violation becomes completely obvious. Thus, the security problems that the SSX-25 do pose for the United States result primarily from the absence of arms control arrangements rather than a violation.

## CHEMICAL AND BIOLOGICAL WEAPONS

Because chemical and biological weapons represent relatively undeveloped but potentially extremely destructive dimensions of military activity, any violation of prohibitions on these weapons has substantial significance and is worthy of serious concern. In this case there has also been a more extensive public presentation of evidence and at least some tentative evaluation can be made. Without attempting to rehearse what I happen to know of the available evidence, let me offer what seems to me to be reasonable judgments.

First, I am not aware of any serious allegations that the Soviet Union has actually used active biological agents which represent perhaps the most dangerous military potential that has not yet been systematically developed. The accident at Sverdlovsk has not been adequately explained and does suggest that the Soviets are investigating and handling agents of biological warfare.

The event as publicly reported, however, does not provide the basis for inferring a Soviet commitment to an offensive biological weapons capability. I find the language of the President's report to be unwisely imprecise in combining comments about biological, chemical, and toxic agents without distinguishing among them.

Second, there does appear to have been too many indications of the deliberate use of chemical weapons in Afghanistan and toxic agents in Southeast Asia to be readily ascribed to natural causes, imagination, or deliberate fabrication.

Some illegal activity does appear to have occurred despite the fact that definitive evidence has so far eluded vigorous efforts by the United States to develop it. Evidence that the Soviet Union is directly responsible for the use of mycotoxins in Southeast Asia have been particularly elusive.

Third, if illegal use of chemical and toxic agents has occurred, so far it has been of limited magnitude, frequency, and effectiveness. Moreover, indications of this activity have noticeably declined over the past year.

These facts certainly do not constitute a moral or legal excuse, but they are of considerable practical significance. They imply that a strong commitment to these agents as a means of war has not yet been made and that preparation for their offensive use have not been extended to the main theaters of engagement between Soviet forces and those of the United States and our allies. It appears that there is still an opportunity to prevent such developments.

The President's report covers other matters that are of concern from a legal and diplomatic point of view—the encryption of telemetry on missile tests, notification of military exercises, ambiguities about deployment of the SS-16 missile, and possible violations of the 150-kiloton yield limit on underground.

Senator McCLURE. Weapons tests—for all these matters, however, the violations that are suspected would not affect military capabilities in any major way.

[The prepared statement of Dr. Steinbruner follows:]

### PREPARED STATEMENT OF JOHN STEINBRUNER, BROOKINGS INSTITUTION

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The actual military significance of the radar near Krasnoyarsk appears to be quite marginal. Though it is possible to imagine the installation performing battle management functions that are prohibited under the treaty, it does not appear to be optimally positioned or designed for such a purpose. It requires a great deal of technical imagination to infer from the installation any meaningful threat to the ability of current American ballistic missiles to perform their missions. Such an argument could be made only in the context of a large number of related activities throughout the Soviet Union. Serious evidence for these related activities has not been defined or authoritatively suggested, and a pattern of this sort is not very plausible given that the inherent technical potential of the radar is quite limited. At the moment therefore the installation appears to violate technical provisions of the 1972 ABM treaty but not its fundamental purposes.

The development of the SS-X-25 missile has much greater significance for United States security than the radar near Krasnoyarsk. The missile allows an immediate upgrading of the 550 SS-11 missiles that in terms of individual boosters provide the largest component of the Soviet strategic forces. Moreover, the SS-X-25 appears to provide the basis for mobile ICBM deployments, a new category of strategic capability. Though opinions vary as to whether deployment of a single warhead mobile ICBM is desirable or undesirable in principle, there certainly are strong reasons to consider it undesirable as an immediate practical matter; notably, (1) the Soviet missile is nearly ready for deployment and there will be no American counterpart for several years at best; (2) the Soviet Union has a larger available land area with the low population density necessary to undertake a mobile deployment; (3) the Soviet Union can better control domestic political objections to the intrusion of mobile operations into normal activity. These practical advantages in timing, in geography, and in political control give the Soviet Union rather obvious short-term advantages in the deployment of this particular type of weapon.

Unfortunately, in my opinion, existing arms control arrangements do not prevent the Soviet Union from exploiting the potential of the SS-X-25. There is no inherent prohibition on using the missile to replace older, and undoubtedly less capable SS-11 as well as SS-13 boosters. A mobile deployment on land was prohibited by the protocol to the SALT II treaty but so was deployment of cruise missiles on land. In support of our own deployment of cruise missiles in Europe, the United States has insisted that the protocol to the SALT II treaty lost all standing upon its original expiration date of December 31, 1981. The provisions of the SALT II treaty itself, which prohibit the introduction of more than one new type of ICBM, define the term "new type" in such a restricted manner that it is technically quite feasible for the SS-X-25 to meet the requirements of an allowed replacement for the SS-13. As such it could be substituted for existing SS-13 or SS-11 launchers without violating the treaty.

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## CONCLUSION OF HEARING

Senator McClure. Thank you very much.

That concludes the testimony today, and the committee will stand adjourned.

[Whereupon, at 4:50 p.m., Wednesday, March 28, the hearing was concluded, and the subcommittee was recessed, to reconvene at the call of the Chair.]

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